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*May 30 July 1852*  
**SELECTIONS**

FROM THE

**SPEECHES AND WRITINGS**

OF

THE RIGHT HONOURABLE

**HENRY,**

**LORD BROUGHAM & VAUX,**

LORD HIGH CHANCELLOR OF GREAT BRITAIN.

WITH A

**BRIEF MEMOIR OF HIS LORDSHIP'S LIFE.**

**LONDON :**

**JAMES RIDGWAY, PICCADILLY.**

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**M.DCCC.XXXII.**

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TO THE  
MEMBERS OF THE

HENRY MORSE STEPHENS

TILLING, PRINTER, CHELSEA.

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## ADVERTISEMENT.

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WHETHER considered as specimens of lofty eloquence, or as embodying the sentiments of one of the greatest men of the present age, upon a variety of most interesting and important topics, the following Selections (which were originally commenced exclusively for the Editor's own private use) cannot, it is thought, prove otherwise than acceptable to the Public, especially as many of them are taken from Pamphlets not easily to be obtained, or Works not generally or conveniently accessible.

With respect to the prefatory Memoir, the Editor entertains some confidence, that it will be found more complete and accurate than any hitherto published; though, in order to prevent misconception, he feels it his duty to state, that, except as a public man, the illustrious subject of it is entirely unknown to him.

*Cambridge, June 1st, 1832.*



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## BRIEF MEMOIR,

*&c. &c.*

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THE eminent person who is the subject of the following Memoir is the eldest son of Henry Brougham, Esq., of Scales Hall, in Cumberland, and Brougham, in Westmoreland, (in which latter place the family were settled prior to the Norman Invasion:)\* by Eleanor, only child of James Syme, D.D., and niece of Dr. Robertson, the celebrated historian.† He

\* Those desirous of further information relative to the family, should consult Nicolson's and Burn's Westmoreland and Cumberland, I. 393; and Hutchinson's Cumberland, I. 299.

† The late Mr. Brougham had six children, viz. Henry, (Lord Brougham,) James, (successively M.P. for Tregony

was born at Edinburgh, on the 19th of September, 1779, and received his education at the High School of his native city, where his subsequent acquirements lead us to assume he was a most laborious and diligent student.

When little more than sixteen years of age, he exhibited one of the most remarkable instances of precocious intellect ever recorded: by the composition of a paper, containing a series of experiments and observations on the inflection, reflection, and colours of light; this paper he transmitted, through the hands of Sir Charles Blagden, to the Royal Society, in whose Transactions it was printed;\* and in the following year, a paper, containing further experiments and observations on the same subject, was communicated by him to the Society, and printed in their Transactions;† where,

and Downton, and now for Winchelsea,) Peter, (who died in 1800 at St. Salvadore, on his passage to the East Indies,) John, (an eminent wine merchant, of Edinburgh, who died at Boulogne in September, 1829,) William, (late Fellow of Jesus College, Cambridge, now M. P. for Southwark, and a Master in Chancery,) and Mary.

\* Philosophical Transactions, 1796, p. 227.

† Idem, 1797, p. 352.

in 1798, appeared from his pen, "General Theorems, chiefly Porisms in the higher Geometry."\* These papers excited considerable interest in the scientific world, (although the extreme youth of their author does not seem to have been generally known:) an article by Professor Prevost, of Geneva, containing Remarks on the Optical Papers, appeared in the Philosophical Transactions for 1798;† and Mr. Brougham is said, at this early period of his life, to have carried on a Latin correspondence on scientific subjects with some of the most distinguished philosophers of the Continent.

Whilst very young, he quitted Edinburgh, and accompanied Mr. Stuart (now Lord Stuart de Rothsay) in a tour through the northern parts of Europe. On his return he was called to the Scotch Bar; and about the same time became a Member of a celebrated Literary Society, called the Speculative Club, of which Mr. Southey, the late Mr. Horner, Mr. Jeffery, and the late Lord Kinnaird, were also distinguished Members.

\* Philosophical Transactions, 1798, p. 378.

† Idem, 1798, p. 311.

On the establishment of the Edinburgh Review, in 1802, Mr. Brougham became one of the principal contributors to that popular journal, in which he continued to write until a very recent period; and of which he is said, for a short time, to have been the editor.

He acquired considerable celebrity by the publication, in 1803, of "An Enquiry into the Colonial Policy of the European Powers." This elaborate work, which is written in a lively, perspicuous, and elegant style, abounds in profound observations on modern politics and international policy; contains several passages of great eloquence, and displays throughout the deep thought, extraordinary acuteness, and extensive information, for which the author is so celebrated. It must, however, be allowed, that certain passages in this work are not altogether in accordance with his more matured opinions respecting the important subject of West Indian Slavery: if, however, any justification, for an alteration so honourable to his feelings as a man, be wanting, it may be found in the conduct of the planters for the last twenty-five years, which has pro-

duced a greater and more general change of sentiment on the subject, than could otherwise have been produced by all the exertions of the most zealous opponents of slavery.

Mr. Brougham, having been called to the English Bar by the Society of Lincoln's Inn, about 1806 or 1807, removed from Edinburgh to London, where his splendid talents seem to have soon attracted attention; since we find him, as early as 1808, engaged in a case of very considerable importance. Certain merchants of London, Liverpool, Manchester, &c., having presented a petition to the House of Commons, praying to be heard at the Bar of the House, by their Counsel and Witnesses, against the celebrated Orders in Council, restricting the trade with America, Mr. Brougham was made choice of as their advocate; and, accordingly, on the 16th of March, 1808, he appeared before that House, of which he was ultimately destined to be the chief ornament; and having opened the case of the petitioners in a concise address, he proceeded to the examination of his witnesses, which was not completed till the 1st of April; when, and

on the 6th of the same month, he again addressed the House with much ability and eloquence for above five hours. Although in this instance unsuccessful, he acquired much reputation by his exertions on the occasion; and from this period, his practice, both in the Court of King's Bench, and on the Northern Circuit, began to increase.

Through the influence of the Earl of Darlington, (now Marquis of Cleveland,) he, in the beginning of 1810, obtained a seat in Parliament for the Borough of Camelford; in the representation of which a vacancy had occurred, by the accession of the present Marquis of Lansdowne to the Peerage. His first Speech, which was made on the 5th of March, 1810,\* on the debate upon Mr. Whitbread's motion, reprobating the Earl of Chatham's private transmission to the King of his narrative respecting the expedition to the Scheldt; has been usually considered to have disappointed the expectations excited by the knowledge of his great talents: it was, however, pertinent and perspicuous; but being delivered

\* Collection of Speeches *in the press*.—Ridgway.



in that unassuming manner, which all young Members act prudently in adopting at the commencement of their Parliamentary career, it presented a striking contrast to the characteristic vehemence of the Speeches delivered by him on occasions more favourable to the display of his prodigious powers. It is right, however, to state, that this Speech was, in the course of the debate, alluded to by Mr. Adam, in terms of great commendation.

On the 15th of June, he addressed the House, in a Speech of great length and ability, on the subject of the Slave Trade, which was then carried on to a great extent by foreign nations; and after complaining of the inefficiency of the Abolition Act, to prevent the subjects of our own country from engaging in that infamous traffic in a clandestine and fraudulent manner, he concluded, by moving an Address to the Crown, beseeching His Majesty to persevere in his efforts to induce foreign nations to abandon the trade, and to give such orders to the officers of the navy, as would effectually check the commerce carried on by British subjects, in contempt of the authority

*See p. 4*

of Parliament: this Address was carried *nem. con.*

In the Session of 1811, Mr. Brougham strenuously opposed the passing of the Act for preventing Gold Coin from being paid or accepted, for more than its current value; and moved a string of Resolutions on the subject, which were negatived without a division: he also spoke in the debates relative to the administration of justice in Trinidad, and the use of flogging in the army.

In the course of the same year we find Mr. Brougham engaged as Counsel for the Messrs. Hunts, Proprietors of the Examiner, against whom a criminal information had been filed for an alleged libel, contained in an article, reprobating, in strong terms, the practice of flogging adopted in our army; and copied into that paper from the Stamford News. His Speech, on this occasion, elicited applause from the Attorney General, and was characterized by Lord Chief Justice Ellenborough as “ a Speech of great ability, eloquence, and manliness;” and notwithstanding his Lord-

ship's decisive opinion, as to the libellous nature of the article in question, the jury returned a verdict of "Not Guilty." He was, also, specially retained at the Lincoln March Assizes, in defence of John Drakard, the Proprietor of the Stamford News, who was charged with the publication of the original article; but, although his Speech in behalf of this Gentleman, was characterized by even greater ability than that in defence of the Hunts, and was greeted with marks of applause, which, however indecorous and mistimed in a Court of Justice, shew its extraordinary power; and notwithstanding the line of defence adopted was precisely the same as on the trial of the former case,—the result was different, and the Crown obtained a verdict.

Mr. Brougham was a very frequent speaker in the House of Commons during the long Session of 1812, taking an active part in the debates on Colonel M'Mahon's Sinecure, the King's Household Bill, the East India Company's Affairs, Corporal Punishments in the Army, the Roman Catholic Claims, the Management of Lincoln and Lancaster Gaols, the

Negotiations for a New Administration, and the Preservation of the Public Peace Bill, and greatly distinguished himself by his strenuous opposition to the Leather Tax, which the Ministry carried by a majority of eight only: but his great efforts, during this Session, were directed to procure the repeal of the Orders in Council, against which he had been heard at the Bar of the House in 1808. On the 3d of March he moved the appointment of a Select Committee, to take into consideration the state of Trade and Manufactures, particularly with reference to these Orders in Council, and the Licence Trade: this motion was negatived by 216 against 144: but on the 28th of April, Lord Stanley succeeded in obtaining a reference of the numerous petitions presented on the subject, to a Committee of the whole House. In the proceedings of this Committee, which sat for six weeks, Mr. Brougham took a very conspicuous part; and shortly after the conclusion of its labours, viz. on the 16th of June, he, in a long and masterly Speech, moved an Address to the Prince Regent, praying him to repeal or suspend the obnoxious Orders; this Address

was withdrawn, on an understanding with the Ministry; and on the 23d of the same month, the Orders complained of, so far as regarded America, were rescinded.

In the course of the same Session he displayed great talent and research in three several motions, made by him on the 21st of January, 25th of February, and 2d of June, with relation to the Droits of the Admiralty, which he contended had been, for many years, grossly misappropriated.

Mr. Brougham's Parliamentary conduct, especially his successful opposition to the Orders in Council, (which had been most injurious to the trading interest,) rendered him exceedingly popular; and, at the General Election, he was invited to offer himself as a candidate for the representation of the large and opulent town of Liverpool: the other candidates were, Mr. Creevey, who stood on the Whig interest; Mr. Canning, and General Gascoyne, (one of the old Members,) who received the support of the Tories. The election commenced on the 8th of October, 1812, and

continued till the 16th, when the numbers at the final close of the poll were; Canning, 1631; Gascoyne, 1532; Brougham, 1131; and Creevey, 1068. In the early part of the contest, it seemed probable that Mr. Brougham, and Mr. Canning, would have been returned; but a junction having been formed between the friends of the latter Gentleman, and those of General Gascoyne, the Tory party gained an ascendancy, which soon rendered all further opposition fruitless.\* Mr. Brougham was

\* In one of his Speeches at the Westmoreland Election, in 1818, he thus alludes to this contest: “ The last and  
“ the only time I had a contest, I was opposed to persons  
“ of liberal feelings, and enlightened minds, men who  
“ would have scorned to carry a point by clamour, or re-  
“ sort to tricks to overpower an adversary. To be op-  
“ posed—as I was then—to a man like Mr. Canning, was  
“ a high honour; to be defeated by him, was no disgrace.  
“ He was a man who took no undue advantage of his op-  
“ ponents—who conducted the contest fairly and honour-  
“ ably, and who added to his triumph the praise that it  
“ was won by laudable means. Opposed during a long  
“ contest to this distinguished orator, a man of the greatest  
“ talents and most accomplished mind of the day; no angry  
“ feeling was produced, no reason for complaint was given  
“ on either side; and as we met as friends at the beginning  
“ of the Election, so we parted at the end, with mutual  
“ thanks and congratulations on the manner in which it had  
“ been conducted.”

also nominated for the Inverkeithing district of Scotch Boroughs; but being likewise unsuccessful there, he had no seat in Parliament for nearly four years afterwards.

He seems now to have devoted himself exclusively to the duties of his profession, in which he was rapidly rising. He was especially employed to defend persons charged with political offences. In December, 1812, he again defended Messrs. Hunts, the Proprietors of the Examiner, who were tried, and (through the extraordinary summing up of Lord Ellenborough) convicted of a libel, on the Prince Regent. The bold, and uncompromising course, pursued by Mr. Brougham on this occasion, in defence of his clients, is said to have been the original cause of that dislike, with which (if popular report may be credited) he was afterwards regarded by his late Majesty.

During the Parliamentary Session of 1816, Mr. Brougham (who had been again returned to the House of Commons for Winchelsea, another Borough in the patronage of the Earl of Darlington,) took a prominent part in the dis-

cussions relative to the repeal of the Property Tax, the distressed state of the agricultural interest, the Alien Bill, West Indian Slavery, the financial affairs of the nation, &c. &c.; and on the 2d of April, after a Speech of some length, in which he narrated a number of very curious facts, illustrating the abuse of the power vested in the Treasury Board to remit penalties, inflicted for breach of the Revenue Laws, he proposed certain resolutions, condemnatory of the conduct of the Lords of the Treasury, with reference to a particular case mentioned in his Speech; but these resolutions were negatived by a large majority. On the 8th of May, he obtained leave to introduce a Bill for better securing the liberty of the press. This Bill (which he was ultimately obliged to abandon) was intended to abolish the power of exhibiting *ex officio* informations for libel, or seditious words, to take away the right of the Counsel for the Crown to reply on trials for such offences, when the Defendant had called no witnesses, and, under certain regulations, to permit Defendants to give evidence as to the truth of any libel, or seditious words.



In this Session, too, he commenced those exertions with respect to education, which have so eminently displayed his enlightened views, and have entitled him to the lasting gratitude of his fellow countrymen. On the 21st of May, he succeeded in obtaining the appointment of a Committee for enquiring into the education of the lower orders in the Metropolis; and on the 20th of June, he presented to the House the Report of this Committee, by which it appeared that no less than 120,000 children, in the metropolis alone, were without the means of instruction. On this occasion, after alluding to the flagrant abuses in several Charity Schools in the country, he suggested the appointment of a Commission of Inquiry, and expressed his determination of again bringing the subject before Parliament. +

In the vacation of this year, Mr. Brougham proceeded to the Continent, for the purpose of having a conference on business of importance with the Princess of Wales, who had, some time previously, appointed him one of her legal Advisers. With a view of extending his practical knowledge on the subject of education, he

availed himself of this opportunity of visiting the institution of Mr. Fellenberg, at Berne, in Switzerland. Of this institution, (which consists of “ a seminary for the education, and “ moral and religious improvement of the poor ; “ an academy for the richer classes of society ; “ an agricultural institution for a limited number of pupils ; and a manufactory of agricultural implements ;”) and a similar one, at Yverdun, conducted by Mr. Pestallozi, which he also visited on this occasion—he afterwards gave a detailed account before the Education Committee of 1818.

On the 13th of March, 1817, Mr. Brougham, in a Speech distinguished for its great power, and liberal sentiments, and displaying, in a striking manner, his extensive knowledge of all topics connected with the trading and commercial interests of the country, proposed to the House of Commons a series of resolutions, attributing a great portion of the distress, then so generally felt, to the severe pressure of taxation, under which the nation laboured ; and expressive of the opinion of the House, that the foreign policy pursued by the Ministry, had

not been such as to obtain for the country those commercial advantages, which its influence in foreign courts fairly entitled the people to expect: these resolutions were, however, negatived by 118 to 63. On the 11th of July, he again brought the state of the nation under the consideration of the House, and proposed an address to the Prince Regent, condemning, in forcible terms, the foreign and domestic policy of the Ministry, whose measures, the address stated, had “neither been calculated “to fulfil the hopes, to alleviate the sufferings, nor to recover the affections of the people.” This address was negatived without a division.

In the same Session, he obtained a renewal of the Committee for enquiring into the state of education among the lower orders of the metropolis; strenuously opposed the suspension of the Habeas Corpus Act; and took a part in the debates on the address in answer to the Prince Regent’s Speech, Mr. Tierney’s motion for a Committee on the public expenditure, Mr. Canning’s Embassy to Lisbon, the Civil Service Compensation Bill, &c. &c.

Mr. Brougham, in the Session of 1818, spoke at some length against the Bill for indemnifying Ministers, and on the discussions relative to the Royal Dukes Marriages, the Tithe Law Amendment Bill, the Repeal of the Septennial Act, the Budget, and Parliamentary Reform. On the 5th of March, he obtained the appointment of a Select Committee, to enquire into the education of the lower orders. This Committee, the labours of which were not (like those of former Committees on the same subject) confined to the metropolis, in the course of the Session presented five reports, containing a great body of the most valuable and interesting matter; and Mr. Brougham introduced a Bill, for the appointment of a Commission of enquiry into the abuses of public charities, which was passed, after being considerably modified in the House of Lords, especially by the introduction of a Clause, confining the investigations of the Commissioners to those Charities only which were connected with education, although this restriction was taken off by an Act introduced by the Ministry in the following Session. When the Commission under this Act was issued, the public expressed

great dissatisfaction that Mr. Brougham's name had been omitted, since his indefatigable industry, and intimate acquaintance with every thing connected with the objects of the Commission, obviously rendered him the most proper person to be appointed. In those times, however, the qualifications of persons who were nominated to official situations of this nature, were but little regarded, political sentiments, and powerful connections, being almost exclusively considered.

At the General Election in 1818, Mr. Brougham, at the request of a respectable body of freeholders, offered himself as a Candidate for the County of Westmoreland, with which his family had been so long connected; but the influence of the House of Lowther was at that time so powerful in this County, that notwithstanding his brilliant talents, and the popularity he had acquired in his Parliamentary career, he was unsuccessful. He, however, avowed his determination of renewing the contest from time to time, until the independence of the County should be fully established. At the close of the Poll (which continued four

days) the numbers were, Lord Lowther, 1211; Colonel Lowther, 1157; Mr. Brougham, 889.

In September, 1818, he published "a Letter to Sir Samuel Romilly, upon the Abuse of Charities; with an Appendix, containing Minutes of Evidence taken before the Education Committee." This little work, of which as many as ten editions were sold in a few months, produced a powerful effect on the public mind, which neither the arguments, nor the virulence of the numerous opponents it called forth, were able to diminish.\*

Mr. Brougham's principal Speeches in the House of Commons (to which he was again returned for Winchelsea) during the Session of 1819, were delivered on the investigation of a Complaint against the Custos Rotulorum of Limerick, on certain proposed Resolutions relative to the Public Income and Expenditure, and in defence of the Education Committees

\* The principal Pamphlets published on the occasion are enumerated in the Quarterly Review, No. 38, in which there is a clever, though far from candid or fair, Review of the Letter to Sir Samuel Romilly.

from certain charges preferred against them by Mr. (now Sir Robert) Peel: and in the short but memorable Session of 1819-20, he strenuously opposed the celebrated Six Acts, and spoke at some length upon the Address in reply to the Regent's Speech on opening the Session, and on a Motion respecting Mr. Owen's plan for ameliorating the condition of the poor.

At the General Election consequent upon the death of George III., Mr. Brougham again contested the County of Westmoreland; but was defeated after a seven days poll, by a majority of 63, the numbers being at the conclusion of the Election, Lord Lowther, 1530; Colonel Lowther, 1412; Mr. Brougham, 1349. He, therefore, took his seat in the new Parliament for Winchelsea, for which he was returned for the third time.

On the 5th of May, 1820, he moved a Resolution in the House of Commons, declaratory of the expediency of the House, with a view to the settlement of the Civil List, taking into consideration the Droits of the Crown, and Admiralty, and other funds not usually deemed

to be under the immediate controul of Parliament. This motion produced an animated debate, at the close of which the Resolution was negatived by 273 to 155. In the course of the Session he also delivered a Speech on Agricultural Distress, and obtained leave to bring in a Bill for the better education of the poor, by the establishment of parochial schools throughout the kingdom ; but this measure, in consequence of the opposition it met with, he ultimately abandoned.

On the third day of Easter Term, he took his seat within the Bar of the Court of King's Bench, as Attorney General for the Queen ; and in the beginning of June, proceeded to St. Omers, at her Majesty's request, where, on her behalf, he conducted the celebrated negotiation with Lord Hutchinson. After her Majesty's arrival in England, he was again employed on her behalf, to meet the Duke of Wellington and Lord Castlereagh on the part of the King, in order to effect an arrangement of the differences subsisting between their Majesties. He also, in his place in the House of Commons, advocated the Queen's cause, with great zeal and



eloquence, on Lord Castlereagh's motion for a Secret Committee, to consider certain papers relative to her Majesty; on Mr. Wilberforce's motion for adjusting the differences in the Royal Family; and on every other occasion in which her Majesty's honour or interests were concerned.

Upon the introduction into the House of Lords of the far-famed Bill of Pains and Penalties, Mr. Brougham, as the Queen's principal Law Officer, on the 6th of June, addressed their Lordships at considerable length respecting the method of proceeding adopted against her Majesty. On the 17th of August, he was heard against the principle of the Bill; on the 18th, in reply to the King's Attorney and Solicitor General on that subject; and on the 3d and 4th of October, he addressed the House on the evidence adduced in support of the Bill, in one of the most masterly, eloquent, and effective Speeches ever delivered in either House of Parliament.

His Parliamentary exertions during the Session of 1821, were almost exclusively confined

to the various discussions which took place relative to the Queen; and on the 4th and 5th of July, he delivered an able and learned argument before the Lords of the Privy Council, in support of Her Majesty's claim to be crowned with the King at the ensuing Coronation,

On the 11th of February, 1822, Mr. Brougham, in an able, argumentative, and luminous Speech of considerable length, moved a resolution in the House of Commons, declaring it to be the duty of that House to take into its consideration the pressure of public burthens upon all, but especially the agricultural classes, and to effect such a reduction of taxation as was suited to the change in the value of money, and would afford an immediate relief to the distresses of the country: this Resolution was negatived by 212 against 108. In the course of the same Session, he spoke at some length on the Address in reply to the King's Speech, the State of Ireland, Agricultural Distress, the Navy Estimates, the Salt Tax, Naval and Military Pensions, &c. &c.; and on the 24th of June, moved a Resolution, "that

“ the influence possessed by the Crown is unnecessary for maintaining its constitutional prerogatives, destructive of the independence of Parliament, and inconsistent with the well government of the realm ;” this resolution, however, was negatived on a division by 216 against 101.

Considerable sensation was excited by his bold and powerful defence of Mr. Williams, the proprietor of the Durham Chronicle, who was tried at the Durham Summer Assizes of this year, on a criminal information for a libel contained in certain remarks inserted in his paper, reflecting on the Clergy, for omitting to order the bells of the several Churches in that City, to toll on the death of her late Majesty. Mr. Brougham’s eloquent address was repeatedly interrupted by the enthusiastic applause of the crowded court, although the Jury, after above five hours deliberation, returned a qualified verdict against his client.

He delivered a most admirable Speech respecting the interference of the Holy Alliance in the affairs of Spain, on the opening of the

Session of 1823; during which he also took a prominent part in the Debates on the negotiations relative to Spain, Ex-Officio Informations in Ireland, Delays in the Court of Chancery, Catholic Emancipation,\* the Abolition of Slavery, and the Scottish Law Commission Bill; and made a motion for referring a Petition of the Roman Catholics of Ireland, complaining of the Administration of the Law, to the Grand Committee for Courts of Justice; but although this motion was supported by the most powerful arguments, and its necessity shewn by reference to numerous indisputable facts, it was lost by a majority of 139 against 59.

Mr. Brougham, in conjunction with Dr. Birkbeck, had a great share in the formation of the London Mechanics Institution, which was esta-

\* In the course of this Debate, Mr. Brougham charged Mr. Canning with having exhibited “ a specimen, the most “ incredible specimen, of monstrous truckling, for the purpose of obtaining office, that the whole history of political tergiversation could furnish.” Upon which Mr. Canning immediately rose, and declared the accusation to be false; and although called on by the Speaker to retract his assertion, it was a long time before the parties were brought to a satisfactory explanation.

blished in the latter end of 1823 ; and shortly afterwards published an excellent pamphlet for the benefit of the Institution, entitled, “ Practical Observations upon the Education of the People, addressed to the working classes and their employers.” This work had a very extensive sale, (having gone through at least twenty editions,) and led to the establishment of numerous Societies of the same nature in other places.

During the Parliamentary Session of 1824, he was one of the principal speakers in several of the most important debates ; particularly those in the Address in reply to the Speech from the Throne, on the Financial Affairs of the country, on the Delays in and Expensess of the Court of Chancery, and on Mr. Abercromby's Complaint against Lord Chancellor Eldon. He also, on the 1st of June, moved an Address to the King, respecting the trial and condemnation of Mr. Smith, a Missionary at Demarara. This motion, which was prefaced by a Speech of amazing power and eloquence, produced an animated debate, which lasted two nights ; and although the Address

was negatived in the House by a majority of 47, his exertions on this occasion added considerably to his reputation and popularity; the opinion of a large and influential class of the community being by no means in accordance with the decision of the House on this subject, which had, for some time previously, attracted the notice of the public in an extraordinary degree.

In the early part of 1825, Mr. Brougham was elected Lord Rector of the University of Glasgow, by the casting vote of Sir James Macintosh, having for a competitor no less illustrious an individual than Sir Walter Scott; and on the 5th of April, one of the largest public dinners ever provided in Edinburgh, was given at the Assembly Rooms of that city, to celebrate his arrival in Scotland, in order to be installed in the before-mentioned office. The chair was taken by Mr. Cockburn, a very eminent member of the Scottish Bar, and now Solicitor General for Scotland, who proposed Mr. Brougham's health, in an eloquent and appropriate speech; in the course of which, after alluding to his departure from Edinburgh,

nearly twenty years previously, and his having in that city first displayed those great natural and highly cultivated and acquired powers, which his friends then foresaw must inevitably place him as the highest in any walk of ambition, to which his duty or inclination should lead him. He observed, that “ from that day to this, their “ accomplished friend had gone on in the display of successive achievements, of such brilliancy, that the preceding one seemed so “ great, that it was deemed impossible to be “ surpassed, until the succeeding one eclipsed “ it with its glory ; until, at last, he exhibited, “ in his pregnant history of mental progress, one “ of the noblest and most cheering spectacles “ which a free country could present in her “ annals—the spectacle of a young man going “ forth into public life, supported by his principles and talents alone, and triumphing in “ their independent success. So advancing, “ too, without the advantages of a great private “ fortune, or hereditary connections, but merely “ by innate worth—by a sagacious selection of “ his objects, and the abilities with which he “ pursued and enforced them, acquiring, in this “ pure and gratifying way, an influence over “ his countrymen, greater, far greater, than was

“ever obtained on any previous occasion,  
“merely by the single aid of the intellectual  
“resources of a single man.”

At his Installation, which took place at Glasgow on the following day, Mr. Brougham delivered to the Students of that University a most powerful inaugural discourse, which, although one of the most exquisite and finished orations ever composed, was entirely written during the bustle and fatigue of the Northern Circuit!!

The principal Parliamentary debates, during the Session of 1825, in which he took a part, were those on the Address in reply to the King's Speech, the Catholic Claims, the Judges Salaries, the suppression of the Catholic Association, the Duke of Cumberland's Annuity Bill, the delays in the Court of Chancery, and the expulsion of Mr. Shrewsbury, a Missionary, from Barbadoes. He also introduced a Bill (which was ultimately abandoned) for incorporating the London University, then recently established, and in the foundation of which he had a principal share.



On the 10th of May, 1826, Mr. Brougham moved a Resolution, expressing the regret of the House of Commons at the non-compliance of the Colonists with the Resolutions respecting the condition of the Slaves, passed by the House in 1823, and declaring the intention of the House to take into its most serious consideration, in the next Session, such measures as might appear to be necessary for giving effect to those Resolutions. This motion was negatived by 100 to 38. In the previous part of the Session, he took a part in the several discussions relative to the Address on the King's Speech, the Promissory Note Bill, the Court of Chancery, the Corn Laws, the State of the Nation, and the Bill for allowing Counsel to address Juries on behalf of persons charged with felony.

At the General Election, he again contested the representation of Westmoreland, but with even less success than on former occasions ; at the close of the poll, which was kept open for nine days, the numbers were, Lord Lowther, 2,097 ; Colonel Lowther, 2024 ; Mr. Brougham, 1378 ; he, therefore, took his seat in the new

House of Commons for Winchelsea, being the fourth time of his being returned for that Borough.

In the beginning of 1827, he took a very active interest in the formation of the Society for diffusion of Useful Knowledge, the object of which is “by the periodical publication of “treatises, under the direction, and with the “sanction of a Superintending Committee, to “impart useful information to all classes of the “community, particularly to such as are unable “to avail themselves of experienced teachers.” Of this Committee, Mr. Brougham was appointed Chairman, which situation he still continues to hold. The first work commenced by this Society, was “the Library of Useful Knowledge;” and the preliminary treatise, “On the Objects, Advantages, and Pleasures of Science,” was written by Mr. Brougham, to whose pen several other works published by the Society, are generally attributed.

In the memorable debate, which took place in the early part of the Session of 1827, relative to the interference of this country in the affairs

of Portugal, Mr. Brougham delivered an admirable Speech in support of the conduct of Government with respect to that question; and on the formation of Mr. Canning's Administration, in May, 1827, he, for the first time during his Parliamentary career, took his seat on the Ministerial Benches, stating, that as Mr. Canning had successfully established a system of liberal and manly foreign policy, that Gentleman should, in the course of his administration, have from him (Mr. B.)\* "that which he had a "right, in point of consistency, to demand—a "cordial, zealous, and disinterested support."—"I have," said Mr. Brougham, in the course of the discussions relative to the change of Ministry, "quitted a situation in this House, "which, considering the influence of opinion "and feeling, was, in the highest degree, "grateful to me; and in which I was sur- "rounded, and (if it may be permitted to say "so,) supported, by one of the largest, the "most important, the most honourable, and, "now I may say it, for I was privy to all their "councils, and my motives cannot be sus- "pected, the most disinterested Opposition that

\* Collection of Speeches (in the press.)—Ridgway.

✓ 1  
“ ever sat within the walls of this House ; men  
“ who supported what they deemed right,  
“ though it kept them out of power, and con-  
“ firmed their adversaries in office ; and who  
“ persevered in that course year after year,  
“ without a possible hope of benefit ever ac-  
“ cruing to themselves. I have quitted that  
“ honourable and eminent situation, enough to  
“ gratify the ambition of the proudest of men,  
“ on an express stipulation which utterly ex-  
“ cludes the possibility of my taking office. I  
“ have done so deliberately and advisedly. I  
“ shall be sufficiently gratified in watching the  
“ progress of those opinions to which I am  
“ attached, both as to our foreign and domestic  
“ policy. When I say that I have not become  
“ a party to any arrangements with regard to  
“ office, I wish it to be understood, however,  
“ that the union which has taken place between  
“ parties lately divided, will have my cordial  
“ and uniform support. My taking office  
“ would have stood in the way of those arrange-  
“ ments, and I, therefore, at once, voluntarily,  
“ and without waiting for a suggestion from  
“ any one, resigned all my claims to office. It  
“ is unpleasant to be forced to dwell on mat-

“ters that are wholly personal to one’s self;  
“but, as has been most truly stated this night,  
“the character of a public man belongs to his  
“country; and to his country he ought not to  
“be slow in furnishing the means of properly  
“estimating his motives.”

The Address, in answer to the King’s Speech, the Newspaper Stamp Duties, the Grant to the Duke and Duchess of Clarence, the Corn Laws, the Catholic Claims, the Election Regulation Bill, the disfranchisement of Penryn, the Trade with India, the conduct of Lord Charles Somerset at the Cape of Good Hope, the Court of Chancery, the Budget, and West Indian Slavery, were the principal other subjects on which he spoke during this Session.

On the first day of Trinity Term, 1827, Mr. Brougham (who had, on the Queen’s death, retired behind the Bar,) having received a patent of precedence, again assumed the silk gown, which, had professional merit been regarded by previous Administrations instead of political support, he would have received long before.

One of the most praiseworthy efforts of Mr. Brougham's useful and brilliant Parliamentary career, was made on the 7th of February, 1828, when he concluded a Speech which occupied above six hours in the delivery, and embraced an immense variety of topics, relative to the constitution and practice of our Courts of Justice, and the state of the Law; by moving an Address to the King, for a Commission to inquire into the defects occasioned by time, or otherwise, in the laws of the realm. The debate on this motion was adjourned to the 29th of the same month, when the following Resolution, substituted by Mr. Brougham, in lieu of that formerly proposed, was unanimously agreed to :—" That an  
" humble Address be presented to his Majesty,  
" respectfully requesting that his Majesty may  
" be pleased to take such measures as may  
" seem most expedient for the purpose of  
" causing due inquiry to be made into the  
" origin, progress, and termination of actions in  
" the superior Courts of Common Law in this  
" country, and matters connected therewith;  
" and into the state of the law regarding the  
" transfer of real property." Amongst other salutary legal Reforms which have been re-

cently carried into effect, the increase in the number of Judges, the abolition of the great Sessions in Wales, the opening of the practice in the Court of Exchequer, the abridgment and simplification of pleadings in common actions, the alterations in the times of holding the Law Terms and Quarter Sessions, and the establishment of uniform rules of practice in the three superior Courts, owe their origin to this memorable motion.

In the course of the same Session, Mr. Brougham spoke upon the debates respecting the Address in reply to the Speech from the Throne, the change in the Administration, the repeal of the Test and Corporation Acts, the Slave Trade, delays in the Court of Chancery, the disfranchisement of East Retford, the Stamp Duties in India, the Catholic Claims, &c. ; and in the Session of 1829, he spoke in support of the Catholic Relief Bill, introduced by the Ministry, and explained the proceedings of the Commissioners appointed for enquiring into public charities, in pursuance of the Act introduced by him eleven years previously, and who, it appeared, had then

investigated no less than 19,000 charities, being more than half the number in the whole kingdom.

The Marquis of Cleveland, the patron of the Borough of Winchelsea, giving his support to the Duke of Wellington's Administration, to which Mr. Brougham was opposed; the latter deemed it expedient to vacate his seat; but in the beginning of 1830, he was again brought into Parliament for Knaresborough, a Borough in the patronage of his Grace the Duke of Devonshire.

During the Session of 1830, he introduced a Bill for the establishment of Local Courts for the administration of justice, in cases where debts under £100., or damages under £50., were sought to be recovered, proposing that the experiment should be first tried in the Counties of Kent, Durham, and Northumberland; but this Bill was not proceeded in. He also spoke against the Vote by Ballot; and on the 13th of July, delivered a most impassioned Speech on the subject of Colonial Slavery, concluded by proposing a Resolution, pledging the House,



early in the next Session, to “take into its  
“most serious consideration the state of  
“slavery in the Colonies of this country, with  
“the view of mitigating, and finally abolishing  
“the same; and more especially with the view  
“of amending the administration of justice in  
“the said Colonies.” After an animated discussion, the Resolution was negatived by 56  
against 27.

On the death of George the Fourth, Mr. Brougham was invited, by a very large and highly respectable body of Freeholders of Yorkshire, to become a candidate for the representation of that great and important County. With this request he complied, and (together with Viscount Morpeth, the Honourable William Duncombe, and Richard Bethell, Esq.) was returned free of any expense, and almost without opposition, since Mr. Stapylton, the Tory Candidate, did not poll 100 votes during the two days the contest lasted.\* Altogether

\* The following was the state of the poll at the close:—

Viscount Morpeth, 1,464; Mr. Brougham, 1,295;

Mr. Duncombe, 1,123; Mr. Bethell, 1,064;

Mr. Stapylton, 94.

unconnected with the County, and totally unknown to the Freeholders, except as a public man, the election of Mr. Brougham, for this extensive, populous, and opulent County, must be considered as an event altogether unprecedented in the modern political history of the country, and marks a new and improving era in the annals of elections. That it added materially to his already extensive influence, there can be little doubt; he himself declared, “that  
“it would arm him with an extraordinary, and  
“vast, and important accession of power to  
“serve the people of England;”\* and on a late great occasion, he referred to the event, “as the  
“highest honour of his life, the pride and ex-  
“ultation of which could never be eradicated  
“from his mind but by death, nor in the least  
“degree allayed by any lapse of time—the  
“most splendid distinction which any subjects  
“could confer upon a fellow citizen.”†

As an instance of his extraordinary industry and energy, it may be here mentioned, that, during his canvas for Yorkshire, he in one day

\* Volume of Miscellaneous Speeches.

† Collection of Speeches.

attended eight different public meetings of the electors, delivered at each a powerful speech of considerable length, and travelled over a space of 120 miles: notwithstanding all this exertion, he appeared on the following morning in the Assize Court of York, apparently as little fatigued as if he had spent the preceding day in chambers.

On the opening of the new Parliament, Mr. Brougham gave notice of his intention, on that day fortnight, to submit to the House a proposition on the subject of Parliamentary Reform. In consequence, however, of the unsettled state of public affairs, arising from the defeat of the Wellington Administration, and the non-appointment of another Ministry, he postponed this proposition to another day; but before the time appointed for its coming on, he was made Lord Chancellor, and took his seat in that capacity in the House of Lords, on the 22d of November, 1830, on which day he was created a Peer of Great Britain, by the title of Baron Brougham and Vaux, of Brougham, in the County of Westmoreland. This appointment gave great satisfaction throughout the

country generally, though an absurd attempt was made by a faction, in the House of Commons, to represent his acceptance of office as an abandonment of principle; and a sacrifice of the interests of his constituents; but the enthusiastic applause with which he was greeted, when he shortly afterwards paid a visit to York, demonstrated that the Freeholders of that County concurred with his Lordship, in considering that his accession to power, “far from disabling him to discharge his duty to his country—far from rendering his services less efficient, but enlarged the sphere of his utility, and held out the gratifying prospect, that in serving his King, he should, at the same time, be better able to serve his country.”

In the House of Lords, he introduced a Bill for the establishment of Local Courts, similar to that brought into the Commons in the preceding Session. He also introduced three Bills for regulating the Court of Chancery, and a Bill for establishing a Court of Bankruptcy; none of these, however, were passed, on account of the dissolution; but the latter became a

Law in the next Parliament, in which, on the 28th of September, 1831, he brought in a Bill for the more expeditious administration of justice in the Court of Chancery; the prorogation, however, prevented this Bill from being proceeded with. On the 7th of October, he supported the second reading of the Reform Bill, in a Speech of unrivalled brilliancy and force.

To enter into an examination of his Lordship's performances of the varied duties attached to the high and honourable situation which he now fills, would be foreign to the purpose of the present Memoir; but we cannot help alluding to his indefatigable labour in the business of the Court of Chancery. In the last year, he concluded his sittings on the 1st of September, having sat but two days longer than Lord Eldon; but by devoting more hours each day to the business of his Court, he was enabled, in the course of a few months, to decide no less than 120 Appeals; and instead of leaving, as his predecessor had done, a large arrear of causes, he had the gratification of saying, that he had not left a single appeal unheard, nor one petition unanswered. His beneficial

exertions in this respect, together with his constant regard to literary merit, in disposing of the church and other preferment in his gift, cannot excite too much admiration.

Lord Brougham is, beyond all doubt, a most consummate master of every branch of oratory ; but the distinguishing characteristic of his eloquence, is its great energy and irresistible strength. His generous and noble sentiments, his copious and nervous diction, the aptitude of his illustrations, the earnest solemnity and occasional vehemence of his manner, his bold and dauntless bearing, the bitterness of his irony, and the fierceness of his invective, produce the most powerful effects on the passions of his auditors : his voice, without being particularly loud, is surprisingly clear ; his enunciation, though rapid, is distinct ; and he expresses himself with extraordinary fluency, and a total absence of every thing in the least resembling hesitation. We believe there are but few, even of his most virulent political admirers, who will not allow his conduct, as a Statesman, to have been uniformly open, straight forward, and consistent. His sentiments are liberal, and his

views enlarged : he has ever proved himself the foe of tyranny, corruption, injustice, and intolerance ; the advocate of the oppressed, the friend of humanity, and the intrepid defender of popular rights : his exertions to increase the commercial prosperity of the country, to reform and improve its institutions, and to diffuse the advantages of education amongst all classes of the community, have justly endeared him to his fellow countrymen. Though esteeming war as the great obstacle to the improvement of mankind, yet has he never evinced the slightest disposition to purchase the incalculable advantages of peace at the cost of the honour and dignity of the nation : and to him may we truly apply the praise bestowed by Burke on an eminent and enlightened Statesman of the last century : “ In opposition, he respected the principles of government ; in administration, he has provided for the liberties of the people, and employed his moments of power in realising every thing he professed in a popular situation.” His intimate acquaintance with the principles and history of our constitution and legal polity, and his extensive knowledge of the laws of other nations, entitle Lord

Brougham, in our opinion, to no secondary rank amongst lawyers: and although, perchance, he may be excelled by some few members of his profession, in knowledge of technicalities, and details of practice, yet, if any deficiency in this respect exist, it is, we conceive, more than compensated for by his unceasing exertions both in his legislative and judicial character, to secure the great end and object of all our legal institutions—the pure, and prompt, and cheap, administration of justice.

We should, however, form but an imperfect estimate of his Lordship's great talents, did we consider him only as an orator, a statesman, or a lawyer, or even as uniting, in his own person, the highest excellencies of all those characters: we must remember his varied and almost universal knowledge both of books and of the world, his extensive scientific acquirements, his refined literary taste; and, to become perfectly acquainted with his distinguished merits, we must not consider his prodigious talents and surprising industry apart from the great ends and noble objects to which they have been directed: we must not forget that his wit, his



eloquence, and his knowledge, have ever been devoted to the grand design of dispelling the evils of misgovernment, bigotry, and ignorance, enlightening the minds, adding to the happiness, and improving, in every possible way, the moral and political condition of mankind.

Those who have had the honour of being personally acquainted with his Lordship, represent him as a truly amiable man, a kind and sincere friend, an agreeable companion, and as discharging all his domestic duties in the most exemplary and admirable manner. Lord Brougham married, in 1819, Mary Anne, eldest daughter of Thomas Eden, Esq. (brother of Lords Auckland and Henley,) and relict of John Spalding, Esq., by whom he has had two daughters, viz. Sarah Eleanor, who died very young; and Eleanor Louisa, who is now in her tenth year: in default of male issue, the title will expire on his Lordship's death.



## P O S T S C R I P T.

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SINCE the foregoing Memoir was put to press, events have occurred of which it is necessary to make some mention in the present work, although they are as yet fresh in the memory of every one.

His Majesty's Ministers having, on the 7th of May, been left in a minority on a division in the Lords' Committee on the Reform Bill, Earl Grey and Lord Brougham waited on the King, and advised the creation of a sufficient number of Peers to ensure the success of that great National Measure: His Majesty declining to act on this advice, the Cabinet felt it necessary to tender their resignations, which were afterwards accepted; and on Saturday, the 12th of May, Lord Brougham took leave of the Chancery

Bar. After informing them that he should leave no cause undecided, and a very trifling arrear in the business of the Court, his Lordship dwelt briefly on the improvements he had contemplated in our Equitable Judicature, and the beneficial results they were likely to have produced. He then, in a very impressive manner, and under considerable emotion, concluded in these words. " Upon quitting this Court, I should, in ordinary circumstances, feel nothing but the pain of parting with those to whom my kind and respectful thanks are so justly due, for the unvaried respect and kindness which I have experienced from them. But, in my voluntary retirement from hence, which is only painful as it causes this separation, I am supported by the principles which have directed the course I pursue. I am more than supported. The personal feelings to which I have adverted, are lost in those which now compel me, I trust, without any undue sense of pride, to regard the abandonment of power at the command of public duty, not as misfortune, but glory."

The Duke of Wellington (to whom His Majesty had consigned the task of composing a

new administration,) being, however, unable to form a Cabinet, which had the slightest chance of obtaining the support of the House of Commons, or of being satisfactory to the country at large; a communication was, in the beginning of the following week, made by the King to Earl Grey, which, (as it rendered the success of the Reform Bill no longer doubtful,) induced that Nobleman and his Colleagues to remain in office, to the great joy of the whole nation, which had, by his Lordship's resignation, been plunged into a state of excitement altogether unparalleled in the history of this country.

In consequence of the above arrangement, Lord Brougham has resumed his seat on the Woolsack under circumstances which have, if possible, augmented the respect and esteem with which he is so universally regarded, his contemplated retirement having afforded an additional proof of his unbending integrity, and ardent devotion to the cause of the people.

It is said, that when the Cabinet tendered their resignations to the King, His Majesty endeavoured to detach Lord Brougham from his Col-

leagues by intimating his desire that his Lordship should continue to hold the Great Seal. This was, in all probability, designed as a compliment; though we cannot but think the King must have been strangely ignorant of his Lordship's character, if he supposed that office and power had sufficient charms to induce him to consent to an abandonment of principle, which must at once, and for ever, have sullied the high renown acquired by his noble exertions in the cause of liberty.

*June 1st, 1832.*

# SPEECHES,

&c. &c.

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## EXTRACTS FROM A SPEECH

IN THE

HOUSE OF COMMONS,

ON THE

## AFRICAN SLAVE TRADE,

JUNE 15th, 1810.

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It is now three years since this abominable traffic has ceased to be sanctioned by the law of the land ; and, I thank God, I may therefore now indulge in expressing feelings towards it, which delicacy, rather to the law than the traffic, might, before that period, have rendered it proper to suppress. After a long and most unaccountable silence of the law on this head which seemed to protect, by permitting, or at least by not prohibiting the traffic, it has now spoken out, and the veil which it had appeared to interpose being now withdrawn, it is fit to let our indignation fall on those who still dare

to trade in human flesh, not merely for the frauds of common smugglers, but for engaging in crimes of the deepest die; in crimes always most iniquitous, even when not illegal; but which are now as contrary to law as they have ever been to honesty and justice. I must protest loudly against the abuse of language, which allows such men to call themselves traders or merchants. It is not commerce, but crime, that they are driving. I too well know, and too highly respect, that most honourable and useful pursuit, that commerce, whose province it is to humanize and pacify the world—so alien in its nature to violence and fraud—so formed to flourish in peace and in honesty—so inseparably connected with freedom, and goodwill, and fair dealing, I deem too highly of it to endure that its name should, by a strange perversion, be prostituted to the use of men who live by treachery, rapine, torture, and murder! and are habitually practising the worst of crimes, for the basest of purposes—when I said murder, I spoke literally and advisedly. I meant to use no figurative phrase; and I know I was guilty of no exaggeration. I was speaking of the worst form of that crime. For ordinary murders there may even be some excuse. Revenge may have arisen from the excess of feelings honourable in themselves. A murder



of hatred, or cruelty, or mere blood-thirstiness, can only be imputed to a deprivation of reason. But here we have to do with cool, deliberate, mercenary murder; nay worse than this; for the ruffians who go on the highway, or the pirates who infest the seas, at least expose their persons; and, by their courage, throw a kind of false glare over their crimes. But these wretches durst not do this; they employ others as base as themselves, only that they are less cowardly; they set on men to rob and kill, in whose spoils they are willing to share, though not in their dangers.—Traders, or merchants, do they presume to call themselves! and in cities like London and Liverpool, the very creations of honest trade? I, at length, will give them the right name, and call them cowardly suborners of piracy and mercenary murder.

\* \* \* \* \*

What has the Divine Legislator said on this subject? There is a most false and unfounded notion, that the sacred writings are silent upon it; I shall prove the contrary. “Whosoever” (says the scripture) “stealeth a man, and sell-  
eth him, or in whose hands he shall be found,  
shall surely be put to death.” And what is our gloss or application on this divine text?

“Whosoever” (says the English law) “stealeth  
“a man, and tortureth him, and killeth him, or  
“selles him into slavery for all the days of  
“his life, shall surely—pay twenty pounds.”—  
I trust that this grievous incongruity will at  
length be done away.

EXTRACT FROM A SPEECH,  
IN  
DEFENCE OF JOHN DRAKARD,  
TRIED FOR  
A SEDITIOUS LIBEL,  
AT  
THE LINCOLNSHIRE ASSIZES,  
MARCH 13th, 1811.

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I INTREAT you to reflect on the publication which is charged in the indictment with being libellous ; and which has been commented upon by the Gentleman opposite me ;\* and I beg you to recal to mind the comments he has made upon it. He has told you it has a tendency, and must have been published with an intention, to excite mutiny and disaffection in our army ; by drawing a contrast, unfavourable to our service, when compared with the French ; and that it will induce the soldiers to join the standard of France, and to rebel against their officers ; and, lastly, that it will prevent persons from entering into the service. Can Sir Robert Wilson, Gentlemen, can General Stewart,

\* Mr. N. G. Clarke, Counsel for the prosecution.

or can the gallant veteran officer, whose very expressions the writer has used—by any stretch of fancy, be conceived to have been actuated by such intentions? Were they such madmen, as to have desired to alienate their men from their officers, and to disincline others from entering into the army of which they were commanders, and to which they were the firmest friends; to disincline men towards the defence of their own country, and lead them to wish for a foreign and a French yoke? Can you stretch your fancy to the thought of imputing to them such motives as these? You see the opinions they have given to the world. With what arguments, and with what glowing—I will even say violent—language they have expressed themselves. And shall it be said that this Defendant, who uses language not so strong, has published a work which has that fatal tendency, or that he was actuated by so infernal an intention? An intention which in these officers would argue downright madness—but an intention which, in the author of this publication, would show him fit only for the society of demons! Unless you are convinced, not only that what is innocent at Westminster is libellous here—but that what is commendable in these officers is diabolical in the Defendant—you cannot sentence him to a dungeon for doing

that which has obtained the favour of the Sovereign, and the gratitude of the country for those distinguished men.

I have heard so much about invidious topics, about dangerous subjects of discussion ; I have seen so much twisting of expression to give them a tendency to produce disaffection, and I know not what besides, in the people of this country—that I am utterly at a loss to conceive any one subject—whether it be relative to military discipline, or to civil polity—that is not liable to the same objection. I will put my defence on this ground. If any one of those subjects which are commonly discussed in this country, and particularly of those relative to the army, can be handled in a way to prevent expressions from being twisted by ingenuity, or conceived by some to have a tendency to produce discontent—if any mode of treating such subjects can be pointed out to me, in which we shall be safe, allowing the argument of my learned friend to be just, I will give up this case, and confess that the intention of the Defendant was that which is imputed to him. Is there, to take an obvious instance, a subject more common-place than that of the miserable defect which now exists in the Commissariat of our army ? I only select

this, because it comes first to my thoughts. Has it not always happened that in the unfortunate necessity of a retreat, all mouths have resounded with the ill conduct of the Commissariat? Has it not been said, in the hearing of the army and of the country, that the distresses of our troops on a retreat were increased by their want of food, occasioned by the inadequacy of our Commissariat? But we have not only been in the habit of blaming particular instances of neglect—we have also taken upon ourselves to blame the system itself. Nay, we have gone further, we have placed our Commissariat in comparison with that of France, and we have openly and loudly given the preference to the enemy. And why may not the Defendant do the same with reference to another point of military discipline? Can you fancy a subject more dangerous, or which is more likely to occasion rebellion, than that of provision, if you tell the soldier that, through the neglect of his Government, he runs the risk of being starved, while in the same breath you add that Buonaparte's troops are well supplied, through the attention which he pays to this most important branch of a General's duty? Yet, Gentlemen, no one has ever been censured—nor has it been said that it was his intention to excite confusion—because he has condemned that

part of our military system which relates to providing the soldiers with food.

In truth, we must submit to these discussions, if we would have any discussion at all. Strong expressions may, indeed, be pointed out here and there in a publication on such topics, and one may be more strong than another. When he is heated, a man will express himself strongly. And am I to be told, that, in discussing a subject which interests all men, no man is to express himself with force? Is it the inflammatory tendency of this publication, or is it, in one word, the eloquence with which the writer has treated his discussion, that has excited the present prosecution? If he had treated his subject dully, coldly, stupidly, he might have gone on to the end of time; he would never have heard a breath of censure, seen a line of information, or produced an atom of effect. If warmth is not to be pardoned in discussing such topics, to what are the feelings of men to be confined?

I shall, perhaps, hear—confine yourself to such subjects as do not affect the feelings—to matters that are alike indifferent to all men—go to arithmetic—take abstract points of law—“tear passion to tatters” upon questions in

addition and subtraction—be as warm as you please on special pleading—there is a time sufficient for the workings of the heart—but beware of what interests all mankind, more especially your own countrymen ; touch not the fate and fortune of the British Army. Beware of those subjects which concern the men who advance but to cover themselves with victory, and who retire but to gain yet greater fame by their patient endurance ; men who then return to their homes, covered with laurels, to receive the punishment of the lash, which you inflict on the meanest and most unnatural of malefactors ! Let us hear nothing of the “ charnel houses” of the West Indies, as Sir Robert Wilson calls them, that yawn to receive the conquerors of Corunna ! Beware of touching on these points ; beware of every thing that would animate every heart ; that would make the very stones re-echo your sound, and awaken stocks to listen to you. You must not treat such subjects at all, or else you must do it coolly, allowing yourselves to glow by some scale, of which my learned friend is no doubt in possession ; you must keep to a line, which is so fine, that no eye but his can perceive it.

—This may not be—this must not be ! While we continue to live in England it may not be—



while we remain unsubdued by that egregious tyrant, who persecutes all freedom with a rancour, which only oppressors can know—that tyrant, against whom the distinguished officers, whose works I have quoted, have waged a noble and an efficient resistance—and against whom this Defendant, in his humbler sphere, has been zealous in his opposition:—that tyrant, whose last and most highly prized victory is, that which he has gained over the liberty of discussion. Yet, Gentlemen, while that tyrant enslaves his own subjects, and turns them loose to enslave others, no man under his sway dare attempt to do more than calmly and temperately to discuss his measures. Writers in his dominions must gauge their productions, according to the standard established by my learned friend—they must measure their argument according to his rule—and regulate the warmth of their language to a certain defined temperature. When they treat of the tyrant's ambitious and oppressive policy—when they treat of the rigours of his military conscription, they must keep to the line which has been this day marked out in this Court. Should they go beyond that line—should they engage in their subject with an honest zeal, and treat it with a force likely to gain conviction—that is to say, should they treat it after the manner of the

writer of this composition which is now before you—they may lay their account with being dragged forth to be shot without a trial, like the unhappy bookseller of Nuremberg, or with being led in mockery to a Court; and, after the forms of a judicial investigation are gone through, consigned by the decision of the Judges to years of imprisonment.

And yet, Gentlemen, there is some excuse for Buonaparte, when he acts in this manner. His government, as he well knows, is bottomed in injustice and cruelty. If you search and lay bare its foundation, you must necessarily shake it to its centre—its safety consists in silence and obscurity! Above all, is it essential to its power, that the cruelty of his military system should not be attacked, for on it does he rest his greatness? The writer, therefore, who should treat, in a nervous style, of the rigour of his conscription, could expect nothing but severe punishment.

But happily, Gentlemen, things in this country are a little different. Our constitution is bottomed in law and in justice, and in the great and deep foundation of universal liberty! It may, therefore, claim inquiry. Our establishments thrive in open day—they even thrive,

surrounded and assailed by the clamour of faction. Our rulers may continue to discharge their several duties, and to regulate the affairs of the State, while their ears are dinned with tumult. They have nothing to fear from the inquiries of men. Let the public discuss, so much the better. Even uproar, Gentlemen, is wholesome in England, while a whisper is fatal in France!

But you must take it with you, in deciding on the merits of this publication, that it is not upon our military system that the Defendant has passed his reflections—it is not our military system that he condemns. His exertions are directed to remove a single flaw which exists on the surface of that system—a speck of rottenness which mars its beauty, and is destructive of its strength. Our military system he admires in common with us all; he animadverts upon a taint and not upon its essence—upon a blot which disfigures it, and not upon a part of its structure. He wishes you to remove an excrescence, which may be pulled away without loosening the foundation, and the rest will appear the fairer, and remain so much sounder and safe.

You are now, Gentlemen, to say, by your

verdict, whether the mere reading of this publication—taking all its parts together—not casting aside its limitations and qualifications—but taking it as it appears in this paper—you are now to say, whether the mere perusal of it in this shape, is likely to produce those effects which have been described by the counsel for the prosecution—effects which have never yet been produced by the infliction of the punishment itself. This consideration, Gentlemen, seems to deserve your very particular attention. If you can say aye to this, you will then bring your verdict against the Defendant—and not only against him, but against me, his Advocate, who have spoken to you much more freely than he has done—and against those gallant officers who have so ably condemned the practice which he condemns—and against the country which loudly demands an attention to its best interests—and against the stability of the British Constitution.

EXTRACT FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
ON  
THE ORDERS IN COUNCIL,  
JUNE 16th, 1812.

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NEVER did we stand so high since we were a nation, in point of military character. We have it in abundance, and even to spare. This unhappy and seemingly interminable war, lavish as it has been in treasure, still more profuse of blood, and barren of real advantage, has at least been equally lavish of glory; its feats have not merely sustained the warlike fame of the nation, which would have been much; they have done what seemed barely possible; they have greatly exalted it; they have covered our arms with immortal renown. Then, I say, use this glory, use this proud height on which we now stand, for the purpose of peace and conciliation with America. Let this and its incalculable benefits be the advantage which we reap from the war in Europe; for the fame of that war

enables us safely to take it;—and who, I demand, give the most disgraceful counsels—they who tell you we are in military character but of yesterday—we have yet a name to win—we stand on doubtful ground—we dare not do as we list, for fear of being thought afraid—we cannot, without loss of name, stoop to pacify our American kinsmen.—Or I, who say we are a great, a proud, a warlike people—we have fought every where, and conquered wherever we fought—our character is eternally fixed—it stands too firm to be shaken—and on the faith of it we may do towards America, safely for our honour, that which we know our interests require! This perpetual jealousy of America! Good God! I cannot with temper ask on what it rests! It drives me to a passion to think of it. Jealousy of America! I should as soon think of being jealous of the tradesmen who supply me with necessaries, or the clients who entrust their suits to my patronage. Jealousy of America! whose armies are yet at the plough, or making, since your policy has willed it so, awkward (though improving) attempts at the loom—whose assembled navies could not lay siege to an English sloop of war: jealousy of a power which is necessarily peaceful as well as weak, but which, if it had all the ambition of France and her armies to back it, and all the

navy of England to boot; nay, had it the lust of conquest which marks your enemy, and your own armies, as well as navies, to gratify it, is placed at so vast a distance as to be perfectly harmless! And this is the nation, of which, for our honour's sake, we are desired to cherish a perpetual jealousy, for the ruin of our best interests!

I trust that no such phantom of the brain will scare us from the path of our duty. The advice which I tender is not the same which has at all times been offered to this country. There is one memorable æra in our history, when other uses were made of our triumphs from those which I recommend. By the Treaty of Utrecht, which the execrations of ages have left inadequately censured, we were content to obtain, as the whole price of Ramilies and Blenheim, an additional share of the accursed Slave Trade. I give you other counsels. I would have you employ the glory which you have won at Talavera and Corunna, in restoring your commerce to its lawful, open, honest course; and rescue it from the mean and hateful channels in which it has lately been confined. And if any thoughtless boaster in America, or elsewhere, should vaunt, that you had yielded

through fear, I would not bid him wait until some new achievement of our arms put him to silence, but I would counsel you in silence to disregard him.



EXTRACT FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
ON THE  
EDUCATION OF THE POOR,  
MAY 8th, 1818.

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IT is impossible for me to close these remarks without expressing the extraordinary gratification which I feel, in observing how amply the poor of this country have, in all ages, been endowed by the pious munificence of individuals. It is with unspeakable delight that I contemplate the rich gifts that have been bestowed—the honest zeal displayed, by private persons, for the benefit of their fellow creatures. When we inquire from whence proceeded those magnificent endowments, we generally find that it is not from the public policy, nor the bounty of those, who, in their day, possessing princely revenues, were anxious to devote a portion of them for the benefit of mankind—not from those, who, having amassed vast fortunes by public employment, were desirous to repay, in

charity, a little of what they had thus levied upon the State. It is far more frequently some obscure personage—some tradesman of humble birth—who, grateful for the education which had enabled him to acquire his wealth through honest industry, turned a portion of it from the claims of nearer connexions, to enable other helpless creatures, in circumstances like his own, to meet the struggles he himself has undergone. In the history of this country, public or domestic, I know of no feature more touching than this, unless, perhaps, it be the yet more affecting sight of those, who, every day, before our eyes, are seen devoting their fortunes, their time, their labour, their health, to offices of benevolence and mercy. How many persons do I myself know, to whom it is only necessary to say—there are men without employment—children uneducated—sufferers in prison—victims of disease—wretches pining in want—and straightway they will abandon all other pursuits, as if they themselves had not large families to provide for; and toil for days, and for nights, stolen from their own most necessary avocations, to feed the hungry, clothe the naked, and shed upon the children of the poor that inestimable blessing of education, which alone gave themselves the wish, and the power to relieve their fellow men! I survey this pic-

ture with inexpressible pleasure, and the rather because it is a glory peculiar to England. She has the more cause to be proud of it, that it is the legitimate fruit of her free Constitution. Where tyrants bear sway, palaces may arise to lodge the poor ; and hospitals may be the most magnificent ornaments of the seat of power. But, though fair to the eye, and useful to some classes, their foundations are laid in the sufferings of others. They are supported, not by private beneficence, which renders a pleasure to the giver, as well as a comfort to him who receives ; but by the hard won earnings of the poor, wrung from their wants, and, frequently, by the preposterous imposts laid upon their vices. While the rulers of any people withhold from them the enjoyment of their most sacred rights—a voice in the management of their own affairs, they must continue strangers to those noble sentiments—that honest elevation of purpose, which distinguishes freemen, teaches them to look beyond the sphere of personal interest, makes their hearts beat high, and stretches out their arms for the glory and the advantage of their country. There is no more degrading effect of despotism, than that it limits the charitable feelings of our nature, rendering men suspicious and selfish, and forgetful that they have a country. Happily for England, she has

still a people capable of higher things; but I have been led away from my purpose, which was only to express my admiration of those humane individuals, whose conduct I have so long witnessed—of whom, if I have spoken very warmly—it is because I feel much more for them than I can describe—and whose deserts are, indeed, far, far above any praise that language can bestow.

EXTRACT FROM A SPEECH  
IN THE  
CASTLE YARD, AT APPLEBY,  
AT THE CONCLUSION OF  
THE WESTMORELAND ELECTION,  
JULY 3d, 1818.

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THE result of this day's contest has filled different persons with opposite feelings. Good men, who see, in the state of the poll, the cause of independence defeated; and the usurpation of your rights perpetuated; mourn over it. Wicked men see in it the disunion of the county prolonged; and please the malignity of their nature with a long prospect of struggle, and disturbance. The minions of corruption shout at the temporary failure, as a respite given to that system by which they are upheld, and in which they riot and fatten. Wise men, alone, see the result in its proper light; as a great blow given to oppression, and as a foretaste of certain victory, which nothing but imprudence can frustrate; and which firmness and perseverance must ultimately ensure. There are some weak

intellects, who, instead of looking at the justice of a cause, suffer themselves to be carried away by the event, and these men may despond; but men of wisdom regard its merits more than its temporary success—they resolve to exert themselves for it with confidence in the issue—they ask only, does it deserve to succeed; and then leave the event to Providence, looking for the reward of their exertions in their own breasts, and careless of what passes without. The short sighted and fickle men, who are the sport of events, unable to bear good fortune with moderation, cannot support adversity with firmness, but are as timid and dejected by the one, as they are domineering and insolent in the other. While the sky was overcast, while the day was in suspense, while the danger existed, they durst not declare themselves—they sailed under false ensigns—they were afraid to show their colours—they hid themselves in holes and corners, and you might be in the presence of a multitude of them, without being able to see, hear, or feel them; while they shrunk from observation; conscious that they were not respected, and that they ought to be despised; but when the storm was over, when they saw that the danger was passed, and that their safety was secured; then they came forth as has been seen to day from their hiding places, like swarms of despi-

cable vermin ; scattering about their filth, and slime ; and the face of the earth was, I cannot say peopled, but bespattered with the venomous reptiles. Then their cowardly voices were raised, to utter the cry of short-sighted insolence, and to hail not a final triumph, but a short respite from the fate that awaits them. Such a cry, it is the duty of you, the independent Freeholders, to despise, like the croaking of a reptile—to despise them as they deserve to be despised, and as they despise themselves : but you ought to go one step further—these reptiles are contemptible ; but you should bear in mind, that they are likewise noxious, and steps should be taken, which, in any future struggle, must secure the independence of the county against their efforts.

EXTRACT FROM A LETTER  
TO  
SIR SAMUEL ROMILLY,  
UPON  
THE ABUSE OF CHARITIES.

8vo. 1818.

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I TAKE it to be a principle which will admit of no contradiction, that the existence of any permanent fund for the support of the poor—the appropriation of any revenue, however raised, which must peremptorily be expended in maintaining such, as have no other means of subsistence—has, upon the whole, a direct tendency to increase their numbers. It produces this effect in two ways—by discouraging industry, foresight, economy—and by encouraging improvident marriages; nor is the former operation more certain than the latter. It is equally clear that this increase will always exceed the proportion which the revenues in question can maintain.\* To the class of funds directly pro-

\* “*Languescet industria, intendetur socordia, si nullus ex se metus aut spes, et securi omnes aliena subsidia expectabunt, sibi ignavi, nobis graves.*”—TACIT.



ductive of paupers, belong all revenues of alms houses, hospitals, and schools, where children are supported, as well as educated ; all yearly sums to be given away to mendicants, or poor families ; regular donations of religious houses in Catholic countries ; the portion of the tythes in this country which went to maintain the poor before the statutory provision was made ; and, finally, and above all, that provision itself.\* But charitable funds will prove harmless, (and may be, moreover, beneficial), exactly in proportion as their application is limited to combinations of circumstances out of the ordinary course of calculation, and not likely to be taken into account by the labouring classes, in the estimate which they form of their future means of gaining a livelihood. Thus, they may safely be appropriated to the support of persons disabled from working, by accident, or incurable malady, as the blind and the maimed ; and we may even extend the rule to hospitals generally, for the cure of diseases ; nor can orphan hospitals be excepted, upon the whole ; for although, certainly, the dread of leaving a family

\* The Poor Rates come clearly within this description as now raised and applied ; for though they do not exist previously to the demand on the part of the persons claiming relief, the mode of calling them into existence, and the right to do so, is known, and that has the same effect.

in want, is one check to improvident marriages; yet the loss of both parents is not an event likely to be contemplated. In like manner, although the existence of a certain provision for old age, independent of individual saving, comes within the description of the mischief; it is, nevertheless, far less detrimental than the existence of an equal fund, for maintaining young persons, and, more especially, for supporting children. Keeping these remarks in our view, let us add to them the consideration, that, as the Poor Laws have been administered, the character of the labouring classes has suffered a material injury, from which it ought by all means to be restored; and we shall come to the conclusion, that the application of charitable funds, to purposes of education merely, will be the best means of expending them on a large scale; and that, next to this, such donations are to be preferred, as directly encourage independence; for example, a provision for the old age of persons who never received alms in any shape; and for defraying the first cost of erecting Saving Banks. The employment of these resources in helping industry by the supply of tools, is a more doubtful application of them, but far more harmless than the methods generally in use. Perhaps, after the uses now mentioned, no expenditure of eleemosynary revenues

can be devised more safe, than reserving them rigorously for periods of extraordinary distress; and then bestowing them upon persons above the lowest classes, so as to prevent the ruin of housholders.

I am very far, however, from asserting, that any such strict limitation of the charitable funds already existing ought to be attempted. I only state the principle upon which the Legislature should proceed, wherever it is justified in interfering. What circumstances may authorize that interference, cannot be, with any advantage to the subject, described in general terms. But that no rights are in reality infringed by taking a fund destined to support the poor, in a way likely to increase their numbers, and using it so as to perform some act of charity, without increasing the numbers of charitable objects, seems abundantly evident. No man can be supposed to have desired the existence of paupers; every donor assumed that, independently of his bounty, there were such needy persons in being, and he intended to relieve them. Could he have foreseen that an alteration in the form of his gift must reduce their numbers, he would have adopted it. In like manner, the poor are not, with reference to this point, an existing body of persons, like the

Church, or any other Corporation, who have rights of property. They form a class into which no man enters voluntarily; and whatever restricts their numbers, by diminishing poverty, benefits the community. So that no violation of property will be committed, by using any fund given to the poor, in a manner different from its original destination, provided the result were infallibly to lessen their numbers, and still to employ it in works of charity. We both accurately and conveniently speak of the poor, as a body having rights, when we complain of those who have misapplied their property, by converting it to their own use. But the class of paupers cannot, with any correctness of speech, be said to be defrauded by an act which keeps others from entering into it. This injury can only be done to persons who were manifestly never in the donor's view, persons voluntarily making themselves paupers, to take advantage of the gift.

EXTRACTS FROM A SPEECH  
IN THE  
HOUSE OF LORDS,  
AGAINST THE SECOND READING OF  
THE BILL FOR INFLICTING  
PAINS AND PENALTIES  
ON  
QUEEN CAROLINE,  
1820.

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SEE, my Lords, the unhappy fate of this illustrious woman! It has been her lot always to lose her surest stay, her best protector, when the dangers most thickened around her; and, by a coincidence almost miraculous, there has hardly been one of her defenders withdrawn from her, that his loss has not been the signal of an attack upon her existence. Mr. Pitt was her earliest defender and friend in this country. He died in 1806; and but a few weeks afterwards, the first inquiry into the conduct of Her Royal Highness began. He left her a legacy to Mr. Perceval, her firm, dauntless, most able advocate. And, no sooner had the hand of an

assassin laid Mr. Perceval low, than she felt the calamity of his death, in the renewal of the attacks which his gallantry, his skill, and his invariable constancy, had discomfited. Mr. Whitbread then undertook her defence; and when that catastrophe happened, which all good men lament, without any distinction of party or sect, again commenced the distant grumbling of the storm; for it then, happily, was never allowed to approach her, because her daughter stood her friend, and there were who worshipped the rising sun. But, when she lost that amiable and beloved daughter, all which might have been expected here—all which might have been dreaded by her if she had not been innocent—all she did dread—because, who, innocent or guilty, loves persecution; who delights in trial, when character and honour are safe? All was, at once, allowed to burst upon her head; and the operations commenced by the Milan Commission. And, my Lords, as if there were no possibility of the Queen losing her protector, without some most important act being played in this drama against her, the day which saw the venerable remains of our revered Sovereign consigned to the tomb—of that Sovereign, who, from the first outset of the Princess in English life, had been her constant and steady defender—that same

sun ushered the ringleader of the band of perjured witnesses into the palace of his illustrious successor. Why, my Lords, do I mention these things? Not for the sake of making so trite a remark, as that trading politicians are selfish—that spite is twin-brother to ingratitude—that nothing will bind base natures—that favours conferred, and the duty of gratitude neglected, only make those natures the more malignant. My Lords, the topic would be trite and general, and I should be ashamed to trouble your Lordships with it; but I say this once more, in order to express my deep sense of the unworthiness with which I now succeed such powerful defenders, and my alarm, lest my exertions should fail to do what theirs, had they been living, must have accomplished.

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Such then, my Lords, is this case. And again let me call on your Lordships, even at the risk of repetition, never to dismiss for a moment from your minds the two great points upon which I rest my attack upon the evidence;—first, that they have not proved the facts by the good witnesses who were within their reach, whom they have no shadow of pretext for not calling;—and, secondly, that the witnesses whom they have ventured to call, are every one

of them injured in their credit. How, I again ask, my Lords, is a plot ever to be discovered, except by the means of these two principles? Nay, there are instances in which plots have been discovered, through the medium of the second principle, when the first had happened to fail. When venerable witnesses have been seen to be brought forward—when persons above all suspicion have lent themselves for a season to impure plans—when nothing seemed possible—when no resource for the guiltless seemed open—they have almost providentially escaped from the snare by the second of these two principles; by the evidence breaking down where it was not expected to be sifted; by a weak point being found, where no pains from not foreseeing the attack had been made to support it. Your Lordships recollect that great passage—I say great, for it is poetically just and eloquent—in the Sacred Writings, when the Elders had joined themselves, two of them in a plot which had appeared to have succeeded, “for that,” as the Scriptures say, “they had hardened their hearts, and had turned away their eyes, that they might not look at Heaven, and that they might do the purposes of unjust judgments.” But they, though giving a clear, consistent, uncontradicted story, were disappointed, and their victim was rescued



from their gripe, by the trifling circumstance of a contradiction about a mastich tree. Let not man call those contradictions, or those falsehoods which false witnesses swear to from needless falsehood, such as Sacchi, about his changing his name; or such as Demont, about her letters; or such as Majocchi, about the banker's clerk, or such as all the others belonging to the other witnesses, not going to the main body of the case, but to the main body of the credit of the witnesses—let not man rashly and blindly call those accidents—they are dispensations of that Providence, which wills not that the guilty should triumph, and which favourably protects the innocent.

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Such, my Lords, is this case now before you! Such is the evidence in support of this measure—inadequate to prove a debt—impotent to deprive of any civil right—ridiculous to convict of the lowest offence—scandalous if brought forward to support a charge of the highest nature which the law knows—monstrous to ruin the honour of an English Queen! What shall I say, then, if this is their case—if this is the species of proof by which an act of judicial legislature, an *ex post facto* law, is sought to be passed against this defenceless woman! My Lords, I pray

your Lordships to pause. You are standing on the brink of a precipice. It will go forth, your judgment if it goes against the Queen; but it will be the only judgment you ever will pronounce, which will fail in its object, and return upon those who give it. My Lords, from the horrors of this catastrophe—save the country—safe yourselves from this situation. Rescue that country, of which you are the ornaments, but in which you could flourish no longer when severed from the people, than the blossom when cut off from the root and stem of the tree—save that country, that you may continue to adorn it—save the Crown, which is in jeopardy—the aristocracy, which is shaken—the altar, which never more can stand secure amongst the shocks that shall rend its kindred throne. You have said, my Lords, you have willed—the Church and the King have willed—that the Queen should be deprived of its solemn service. She has, indeed, instead of that solemnity, the heartfelt prayers of the people. She wants no prayers of mine. But I do here pour forth my supplications at the Throne of Mercy, that that mercy may be poured down upon the people of this country, in a larger measure than the merits of its rulers may deserve, and that your hearts may be turned to justice.

EXTRACTS FROM A SPEECH  
IN DEFENCE OF  
JOHN AMBROSE WILLIAMS,  
CHARGED WITH  
A LIBEL ON THE CLERGY,  
AT  
THE ASSIZES FOR THE COUNTY OF DURHAM,  
AUGUST 6th, 1822.

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My Learned Friend\* has asked if the Defendant knows that the Church is established by law? He knows it, and so do I. The Church is established by law, as the civil Government—as all the institutions of the country are established by law—as all the offices under the Crown are established by law, and all who fill them are by the law protected. It is not more established, nor more protected, than those institutions, officers, and office bearers, each of which is recognized and favoured by the law as much as the Church; but I never yet have heard, and I trust I never shall; least of all do

\* Mr. (now Sir James) Scarlett, Attorney General of the Lord Bishop of Durham.

I expect in the lesson which your verdict this day will read, to hear, that those officers and office bearers, and all those institutions, sacred and secular, and the conduct of all, whether laymen or priests, who administer them, are not the fair subject of open, untrammelled, manly, zealous, and even vehement discussion, as long as this country pretends to liberty, and prides herself on the possession of a free press.

In the publication before you, the Defendant has not attempted to dispute the high character of the Church; on that establishment, or its members generally, he has not endeavoured to fix any stigma. Those topics, then, are foreign to the present inquiry, and I have no interest in discussing them; yet, after what has fallen from my Learned Friend, it is fitting that I should claim for this Defendant, and for all others, the right to question, freely to question, not only the conduct of the Ministers of the Established Church, but even the foundations of the Church itself. It is, indeed, unnecessary for my present purpose, because I shall demonstrate that the paper before you does not touch upon those points; but unnecessary though it be, as my Learned Friend has defied me, I will follow him to the field, and say, that if there is any one of the institutions of the country which, more

emphatically than all the rest, justifies us in arguing strongly, feeling powerfully, and expressing our sentiments with vehemence, it is that branch of the State which, because it is sacred, because it bears connexion with higher principles than any involved in the mere management of worldly concerns, for that very reason, entwines itself with deeper feelings, and must needs be discussed, if discussed at all, with more warmth and zeal than any other part of our system is fitted to rouse. But if any hierarchy in all the world is bound on every principle of consistency, if any Church should be forward not only to suffer but provoke discussion, to stand upon that title and challenge the most unreserved enquiry, it is the Protestant Church of England; first, because she has nothing to dread from it; secondly, because she is the very creature of free enquiry—the offspring of repeated revolutions—and the most reformed of the reformed Churches of Europe. But, surely, if there is any one corner of Protestant Europe where men ought not to be rigorously judged in Ecclesiastical controversy—where a large allowance should be made for the conflict of irreconcilable opinions—where the harshness of jarring tenets should be patiently borne, and strong, or even violent language, be not too narrowly watched—it is this very realm,

in which we live under three different Ecclesiastical orders, and owe allegiance to a Sovereign, who, in one of his kingdoms, is the head of the Church, acknowledged as such by all men; while, in another, neither he, nor any earthly being, is allowed to assume that name—a realm composed of three great divisions, in one of which Prelacy is favoured by law and approved in practice by an Episcopalian people; while, in another, it is protected, indeed, by law, but abjured in practice by a nation of sectaries, Catholic and Presbyterian; and, in a third, it is abhorred alike by law and in practice, repudiated by the whole institutions, scorned and detested by the whole inhabitants.

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If there is any part of England in which an ample licence ought more especially to be admitted in handling such matters, I say, without hesitation, it is this very Bishopric, where, in the 19th century, you live under a Palatine Prince, the Lord of Durham; where the endowment of the hierarchy, I may not call it enormous, but I trust I shall be permitted, without offence, to term splendid; where the establishment, I dare not whisper, proves grinding to the people, but I will rather say is an incalculable, an inscrutable blessing—only it *is* prodigiously large; show-

ered down in a profusion somewhat overpowering; and laying the inhabitants under a load of obligation, overwhelming by its weight. It is in Durham where the Church is endowed with a splendour and a power, unknown in Monkish times and Popish countries, and the Clergy swarm in every corner, an' it were the Patrimony of St. Peter—it is here where all manner of conflicts are at each moment inevitable between the people and the priests, that I feel myself warranted on *their* behalf, and for *their* protection—for the sake of the establishment, and as the discreet advocate of that Church and that Clergy,—for the defence of their very existence—to demand the most unrestrained discussion of their title and their actings under it. For them, in this age, to screen their conduct from investigation, is to stand self-convicted; to shrink from the discussion of their title, is to confess a flaw; he must be the most shallow, the most blind of mortals, who does not at once perceive that if that title is protected only by the strong arm of the law, it becomes not worth the parchment on which it is engrossed, or the wax that dangles to it for a seal. I have hitherto all along assumed that there is nothing impure in the practice under the system; I am admitting that every person engaged in its administration does every one act which he ought,

and which the law expects him to do; I am supposing that up to this hour not one unworthy member has entered within its pale; I am even presuming, that, up to this moment, not one of those individuals has stepped beyond the strict line of his sacred functions, or given the slightest offence or annoyance to any human being; I am taking it for granted that they all act the part of good shepherds, making the welfare of their flock their first care—and only occasionally bethinking them of shearing, in order to prevent the too luxuriant growth of the fleece proving an incumbrance, or to eradicate disease. If, however, those operations be so constant, that the flock actually live under the knife—if the shepherds are so numerous, and employ so large a troop of the watchful and eager animals that attend them (some of them too with a cross of the fox, or even the wolf, in their breed)—can it be wondered at, if the poor creatures thus fleeced, and hunted, and barked at, and snapped at, and from time to time worried, should now and then bleat, dream of preferring the rot to the shears, and draw invidious, possibly disadvantageous comparisons between the wolf without, and the shepherd within the fold? It cannot be helped; it is in the nature of things that suffering should beget complaint; but for those who have caused the pain to complain of the



outcry and seek to punish it—for those who have goaded to scourge and to gag, is the meanest of all injustice. It is, moreover, the most pitiful folly for the Clergy to think of retaining their power, privileges, and enormous wealth, without allowing free vent for complaints against abuses in the establishment and delinquency in its members; and in this prosecution they have displayed that folly in its supreme degree.

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“ We know not whether any actual orders  
 “ were issued to prevent this customary sign of  
 “ mourning; but the omission plainly indicates  
 “ the kind of spirit which predominates among  
 “ our clergy. Yet these men profess to be fol-  
 “ lowers of Jesus Christ, to walk in his footsteps,  
 “ to teach his precepts, to inculcate his spirit, to  
 “ promote harmony, charity, and christian love!  
 “ Out upon such hypocrisy!”

That you may understand the meaning of this passage, it is necessary for me to set before you the picture my Learned Friend was pleased to draw of the Clergy of the Diocese of Durham, and I shall recal it to your minds almost in his own words. According to him, they stand in a peculiarly unfortunate situation; they are, in truth, the most injured of men. They all, it

seems, entertained the same generous sentiments with the rest of their countrymen, though they did not express them in the old, free, English manner, by openly condemning the proceedings against the late Queen; and after the course of unexampled injustice against which she victoriously struggled, had been followed by the needless infliction of inhuman torture, to undermine a frame whose spirit no open hostility could daunt, and extinguish the life so long embittered by the same foul arts—after that great Princess had ceased to harass her enemies (if I may be allowed thus to speak, applying, as they did, by the perversion of all language, those names to the victim which belong to the tormentor)—after her glorious but unhappy life had closed; and that Princely head was at last laid low by death, which, living, all oppression had only the more illustriously exalted—the venerable the Clergy of Durham, I am now told for the first time, though less forward in giving vent to their feelings than the rest of their fellow-citizens—though not so vehement in their indignation at the matchless and unmanly persecution of the Queen,—though not so unbridled in their joy at her immortal triumph, nor so loud in their lamentation over her mournful and untimely end—did, nevertheless, in reality, all the while deeply sympathise with her sufferings, in the bottom of

their reverend hearts! When all the resources of the most ingenious cruelty hurried her to a fate without parallel—if not so clamorous, they did not feel the least of all the members of the community—their grief was in truth too deep for utterance—sorrow clung round their bosoms, weighed upon their tongues, stifled every sound, and when all the rest of mankind, of all sects and of all nations, freely gave vent to the feelings of our common nature, THEIR silence, the contrast which THEY displayed to the rest of their species, proceeded from the greater depth of their affliction; they said the less because they felt the more!—Oh! talk of hypocrisy after this! Most consummate of all the hypocrites! After instructing your chosen, official advocate, to stand forward with such a defence—such an exposition of your motives—to dare utter the word hypocrisy, and complain of those who charged you with it! This is, indeed, to insult common sense, and outrage the feelings of the whole human race! If you were hypocrites before, you were downright, frank, honest hypocrites to what you have now made yourselves—and, surely, for all you have ever done, or ever been charged with, your worst enemies must be satiated with the humiliation of this day, its just atonement, and ample retribution!

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Judging before hand, no doubt, any one must have expected the Durham Clergy, of all men, to feel exactly as they are now, for the first time, ascertained to have felt. They are Christians ; outwardly at least, they profess the gospel of charity and peace ; they beheld oppression in its foulest shape ; malignity and all uncharitableness putting on their most hideous forms ; measures pursued to gratify prejudices in a particular quarter, in defiance of the wishes of the people, and the declared opinions of the soundset judges of each party ; and all with the certain tendency to plunge the nation in civil discord. If for a moment they had been led away, by a dislike of cruelty and of civil war, to express displeasure at such perilous doings, no man would have charged them with political meddling ; and when they beheld truth and innocence triumph over power, they might, as Christian Ministers, calling to mind the original of their own Church, have indulged, without offence, in some little appearance of gladness ; a calm, placid satisfaction, on so happy an event, would not have been unbecoming their sacred station. When they found that her sufferings were to have no end ; that new pains were inflicted in revenge for her escape from destruction, and new tortures devised to exhaust the vital powers of her, whom open, law-

less violence had failed to subdue—we might have expected some slight manifestation of disapproval from holy men, who, professing to inculcate loving-kindness, tender mercy, and good will to all, offer up their daily prayers for those who are desolate and oppressed. When at last the scene closed, and there was an end of that persecution which death alone could stay; but when not even her unhappy fate could glut the revenge of her enemies; and they who had harassed her to death now exhausted their malice in reviling the memory of their victim; if among them had been found, during her life, some miscreant under the garb of a Priest, who, to pay his court to power, had joined in trampling upon the defenceless; even such a one, bare he the form of a man, with a man's heart throbbing in his bosom, might have felt even *his* fawning, sordid, calculating malignity assuaged by the hand of death; even *he* might have left the tomb to close upon the sufferings of his victim. All probability certainly favoured the supposition, that the Clergy of Durham would not take part against the injured, because the oppressor was powerful; and that the prospect of emolument would not make them witness, with dry eyes and hardened hearts, the close of a life which they had contributed to embitter and destroy. But I am compelled to

say that their whole conduct has falsified those expectations. They sided openly, strenuously, forwardly, officiously with power, in the oppression of a woman, whose wrongs, this day, they, for the first time, pretend to bewail in their attempt to cozen you out of a verdict, behind which they may skulk from the enquiring eyes of the people. Silent, and subdued in their tone as they were, on the demise of the unhappy Queen, they could make every bell in all their chimes peal when gain was to be expected by flattering present greatness. Then they could send up addresses, flock to public meetings, and fill the press with their libels, and make the pulpit wring with their sycophancy, filling up to the brim the measure of their adulation to the reigning Monarch, Head of the Church and Dispenser of its Patronage.

In this contrast originated the Defendant's feelings, and hence the strictures which form the subject of these proceedings. I say the publication refers exclusively to the Clergy of this city and its suburbs, and especially to such parts of that Clergy as were concerned in the act of disrespect towards her late Majesty, which forms the subject of the alleged libel; but I deny that it has any reference whatever to the rest of the Clergy, or evinces any designs

hostile either to the stability of the Church, or the general character and conduct of its Ministers.

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Gentlemen, you have to-day a great task committed to your hands. This is not the age, the spirit of the times is not such, as to make it safe either for the country, or for the Government, or for the Church itself, to veil its mysteries in secrecy; to plant in the porch of the temple a prosecutor brandishing his flaming sword, the process of the law, to prevent the prying eyes of mankind from wandering over the structure. These are times when men *will* enquire; and the day most fatal to the Established Church, the blackest that ever dawned upon its Ministers, will be that which consigns this Defendant, for these remarks, to the horrors of a gaol, which its false friends, the chosen objects of such lavish favour, have far more richly deserved. I agree with my Learned Friend, that the Church of England has nothing to dread from external violence. Built upon a rock, and lifting its head towards another world, it aspires to an imperishable existence, and defies any force that may rage from without. But let it beware of the corruption engendered within and beneath its massive walls; and let all its well-

wishers, all who, whether for religious or political interests, desire its lasting stability, beware how they give encouragement, by giving shelter, to the vermin bred in that corruption, who “*stink and sting*” against the hand that would brush the rottenness away. My Learned Friend has sympathised with the Priesthood, and innocently enough lamented that they possess not the power of defending themselves through the public press. Let him be consoled; they are not so very defenceless; they are not so entirely destitute of the aid of the press as through him they have represented themselves to be. They have largely used that press (I wish I could say “as not abusing it,”) and against some persons very near me; I mean especially against the Defendant, whom they have scurrilously and foully libelled through that great vehicle of public instruction, over which, for the first time, among the other novelties of the day, I now hear they have no controul. Not that they wound deeply or injure much; but that is no fault of theirs; without hurting, they give trouble and discomfort. The insect brought into life by corruption, and nestled in filth—I mean the dirt-fly—though its flight be lowly and its sting puny, can swarm and buz, and irritate the skin and offend the nostril, and altogether give nearly as much annoyance as the wasp, whose



nobler nature it aspires to emulate. These reverend slanderers — these pious back-biters — devoid of force to wield the sword, snatch the dagger ; and destitute of wit to point or to barb it, and make it rankle in the wound, steep it in venom, to make it fester in the scratch. The much venerated personages, whose harmless and unprotected state is now deplored, have been the wholesale dealers in calumny, as well as the largest consumers of the base article,—the especial promoters of that vile traffic of late the disgrace of the country—both furnishing a constant demand for the slanders by which the press is polluted, and prostituting themselves to pander for the appetites of others : and now they come to demand protection from retaliation, and shelter from just exposure ; and to screen themselves, would have you prohibit all scrutiny of the abuses by which they exist, and the mal-practices by which they disgrace their calling. After abusing and well-nigh dismantling for their own despicable purposes the great engine of instruction, they would have you annihilate all that they have left of it, to secure their escape. They have the incredible assurance to expect that an English Jury will conspire with them in this wicked design. They expect in vain ! If all existing institutions and all public functionaries must henceforth be

sacred from question among the people ; if, at length, the free press of this country, and, with it, the freedom itself, is to be destroyed, at least let not the heavy blow fall from your hands. Leave it to some profligate tyrant ; leave it to a mercenary and effeminate Parliament ; a hireling army, degraded by the lash, and the readier instrument for enslaving its country ; leave it to a pampered House of Lords ; a venal House of Commons ; some vulgar minion, servant of all work to an insolent Court ; some unprincipled soldier, unknown, thank God ! in our times, combining the talents of a usurper with the fame of a captain ; leave to such desperate hands, and such fit tools, so horrid a work ! But you, an English Jury, parent of the press, yet supported by it, and doomed to perish the instant its health and strength are gone—lift not you against it an unnatural hand. Prove to us that our rights are safe in your keeping ; but maintain, above all things, the stability of our institutions, by well guarding their corner-stone. Defend the Church from her worst enemies, who, to hide their own misdeeds, would veil her solid foundations in darkness ; and proclaim to them, by your verdict of acquittal, that henceforward, as heretofore, all the recesses of the sanctuary must be visited by the continual light of day, and by that light all its abuses be explored !

EXTRACT FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
ON MOVING  
AN ADDRESS TO THE CROWN,  
RESPECTING  
THE TRIAL AND CONDEMNATION  
OF MR. SMITH,  
A MISSIONARY AT DEMERARA,  
JUNE 1st, 1824.

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THE frame of West Indian Society, that monstrous birth of the accursed Slave Trade, is so feeble in itself, and, at the same time, surrounded with such perils from without, that barely to support it demands the most temperate judgment, the steadiest and the most skilful hand; and with all our discretion, and firmness, and dexterity, its continued existence seems little less than a miracle. The necessary hazards, to which, by its very constitution, it is hourly exposed, are sufficient, one should think, to satiate the most greedy appetite for difficulties, to quench the most chivalrous passion

for dangers. Enough, that a handful of Slave owners are scattered among myriads of Slaves. Enough, that in their nearest neighbourhood, a commonwealth of those Slaves is now seated triumphant upon the ruined tyranny of their slaughtered masters. Enough, that exposed to this frightful enemy from within and without, the Planters are cut off from all help by the ocean. But to odds so fearful, these deluded men must needs add new perils, absolutely overwhelming. By a bond which nature has drawn with her own hand, and both hemispheres have witnessed, they find leagued against them every shade of the African race, every description of those swarthy hordes, from the peaceful Eboe, to the fiery Koromantyn. And they must now combine in the same hatred the Christians of the old world with the Pagans of the new. Barely able to restrain the natural love of freedom, they must mingle it with the enthusiasm of religion,—vainly imagining, that spiritual thralldom will make personal subjection more bearable;—wildly hoping to bridle the strongest of the passions in union and in excess,—the desire of liberty irritated by despair, and the fervour of religious zeal by persecution, exasperated to phrensy. But I call upon Parliament to rescue the West Indies from the horrors of such a policy; to deliver those mis-

guided men from their own hands. I call upon you to interpose while it is yet time to save the West Indies; first of all the negroes, the most numerous class of our fellow subjects, and entitled, beyond every other, to our care, by a claim which honourable minds will most readily admit—their countless wrongs, borne with such forbearance—such meekness—while the most dreadful retaliation was within their grasp; next, their masters, whose short-sighted violence is, indeed, hurtful to their Slaves, but to themselves is fraught with fearful and speedy destruction, if you do not at once make your voice heard, and your authority felt, where both have been so long despised.

EXTRACT FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
ON THE DEBATE RESPECTING THE  
TRIAL OF MISSIONARY SMITH,  
JUNE 11th, 1824.

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THE motion conveys a censure, I admit; but, in my humble opinion, a temperate and a mitigated censure. The law has been broken; justice has been outraged. Whoso believes not in this, let him not vote for the motion. But whosoever believes that a gross breach of the law has been committed; that a flagrant violation of justice has been perpetrated! is it asking too much at the hands of that man, to demand that he honestly speak his mind, and record his sentiments by his vote? In former times, this House of Parliament has not scrupled to express, in words far more stringent than any you are now required to adopt, its sense of proceedings, displaying the triumph of oppression over the law. When there came before the Legislature, a case remarkable in itself; for its

consequences yet more momentous ; resembling the present in many points ; to the very letter, in some things, resembling it—I mean, the trial of Sidney—did our illustrious predecessors, within these walls, shrink back from the honest and manly declaration of their opinion, in words suited to the occasion, and screen themselves behind such tender phrases as are resorted to,—

“ Don’t be too violent—pray be civil—do be  
“ gentle, there has only been a man murdered,  
“ nothing more—a total breach of all law, to be  
“ sure ; an utter contempt, no doubt, of justice, and every thing like it, in form as well  
“ as in substance ; but that’s all : surely then  
“ you will be meek, and patient, and forbearing, as were the Demerara Judges to this  
“ poor Missionary ; against whom, if somewhat  
“ was done, a great deal more was meditated  
“ than they durst openly perpetrate ; but who  
“ being condemned to die, in despite of law  
“ and evidence, was only put to death by slow  
“ and wanton severity !” In those days, no such language was holden. On that memorable occasion, plain terms were not deemed too strong, when severe truth was to be recorded. The word “ murder ” was used, because the deed of blood had been done. The word “ murder ” was not reckoned too uncourtly, in a place where decorum is studied somewhat more scru-

pulously than even here. On the journals of the other House, stands the appointment of Lords Committees, "to inquire of the advisers "and prosecutors of the murder of Lord Russell and Colonel Sidney:" and their Lordships made a Report, upon which the statute is passed to reverse those execrable attainders.



EXTRACTS  
FROM  
" PRACTICAL OBSERVATIONS  
UPON THE  
EDUCATION OF THE PEOPLE."  
8vo. 1825.

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WHY should not political, as well as all other works, be published in a cheap form, and in numbers? That history, the nature of the Constitution, the doctrines of political economy, may safely be disseminated in this shape, no man now-a-days will be hardy enough to deny. Popular tracts, indeed, on the latter subject, ought to be much more extensively circulated for the good of the working classes as well as of their superiors. The interests of both are deeply concerned in sounder views being taught them; I can hardly imagine, for example, a greater service being rendered to the men, than expounding to them the true principles and mutual relations of population and wages; and both they and their masters will assuredly experience the effects of the prevailing ignorance upon

such questions, as soon as any interruption shall happen in the commercial prosperity of the country, if, indeed, the present course of things, daily tending to lower wages as well as profits, and set the two classes in opposition to each other, shall not of itself bring on a crisis. To allow, or rather to induce the people to take part in these discussions, is, therefore, not merely safe, but most wholesome for the community, and yet, some points connected with them, are matter of pretty warm contention in the present times; but these may be freely handled, it seems, with safety; indeed, unless they are so handled, such subjects cannot be discussed at all. Why then may not every topic of politics, party as well as general, be treated of in cheap publications? It is highly useful to the community, that the true principles of the Constitution, ecclesiastical and civil, should be well understood by every man who lives under it. The great interests of civil and religious liberty are mightily promoted by such wholesome instruction; but the good order of society gains to the full as much by it. The peace of the country, and the stability of the government, could not be more effectually secured than by the universal diffusion of this kind of knowledge. The abuses which through time have crept into the practice of the Consti-

tution, the errors committed in its administration, and the improvement which a change of circumstances require, even in its principles, may most fitly be expounded in the same manner. And if any man, or set of men, deny the existence of such abuses, see no error in the conduct of those who administer the government, and regard all innovation upon its principles as pernicious, they may propagate their doctrines through the like channels. Cheap works being furnished, the choice of them may be left to the readers. Assuredly a country which tolerates every kind, even the most unmeasured of daily and weekly discussion in the newspapers, can have nothing to dread from the diffusion of political doctrines in a form less desultory, and more likely to make them be both well weighed at the time, and reserved for repeated perusal. It cannot be denied, that the habit of cursory reading, engendered by finding all subjects discussed in publications, which how great soever their merits may be, no one looks at a second time, is unfavourable to the acquisition of solid and permanent information.

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Happily, the time is past and gone, when bigots could persuade mankind that the lights

of philosophy were to be extinguished as dangerous to religion; and when tyrants could proscribe the instructors of the people as enemies to their power. It is preposterous to imagine, that the enlargement of our acquaintance with the laws which regulate the universe, can dispose to unbelief. It may be a cure for superstition—for intolerance it will be the most certain cure; but a pure and true religion has nothing to fear from the greatest expansion which the understanding can receive by the study either of matter or of mind. The more widely science is diffused, the better will the Author of all things be known, and the less will the people be “tossed to and fro by the sleight of men, and cunning craftiness, whereby they lie in wait to deceive.” To tyrants, indeed, and bad rulers, the progress of knowledge among the mass of mankind is a just object of terror; it is fatal to them and their designs; they know this by unerring instinct, and unceasingly they dread the light. But they will find it more easy to curse than to extinguish. It is spreading, in spite of them, even in those countries where arbitrary power deems itself most secure; and in England, any attempt to check its progress would only bring about the sudden destruction of him who should be insane enough to make it.

EXTRACTS FROM A DISCOURSE  
DELIVERED TO  
THE STUDENTS  
OF THE  
UNIVERSITY OF GLASGOW,  
ON HIS  
INSTALLATION AS LORD RECTOR,  
APRIL 6th, 1825.

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I FEEL very sensibly, that if I shall now urge you, by general exhortations, to be instant in the pursuit of the learning, which, in all its branches, flourishes under the kindly shelter of these roofs, I may weary you with the unprofitable repetition of a thrice told tale; and if I presume to offer my advice touching the conduct of your studies, I may seem to trespass upon the province of those venerable persons, under whose care you have the singular happiness to be placed. But I would, nevertheless, expose myself to either charge, for the sake of joining my voice with theirs, in anxiously intreating you to believe how incomparably the present season is verily, and indeed the most

precious of your whole lives. It is not the less true, because it has been oftentimes said, that the period of youth is by far the best fitted for the improvement of the mind, and the retirement of a College, almost exclusively, adapted to much study. At your enviable age, every thing has the lively interest of novelty and freshness; attention is perpetually sharpened by curiosity; and the memory is tenacious of the deep impressions it thus receives, to a degree unknown in after life; while the distracting cares of the world, or its beguiling pleasures, cross not the threshold of those calm retreats; its distant noise and bustle are faintly heard, making the shelter you enjoy more grateful; and the struggles of anxious mortals embarked upon that troublous sea, are viewed from an eminence, the security of which is rendered more sweet by the prospect of the scene below. Yet, a little while, and you too will be plunged into those waters of bitterness; and will cast an eye of regret, as now I do, upon the peaceful regions you have quitted for ever. Such is your lot as members of society; but it will be your own fault if you look back on this place with repentance or with shame; and be well assured that, whatever time—ay, every hour you squander here on unprofitable idling, will then rise up against you, and be paid for

by years of bitter but unavailing regret. Study then, I beseech you, so to store your minds with the exquisite learning of former ages, that you may always possess, within yourselves, sources of rational and refined enjoyment, which will enable you to set at nought the grosser pleasures of sense, whereof other men are slaves; and so imbue yourselves with the sound philosophy of later days, forming yourselves to the virtuous habits which are its legitimate offspring, that you may walk unhurt through the trials which await you, and may look down upon the ignorance and error that surround you, not with lofty and supercilious contempt, as the sages of old times, but with the vehement desire of enlightening those who wander in darkness, and who are by so much the more endeared to us, by how much they want our assistance.

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In exhorting you deeply to meditate on the beauties of our old English authors, the poets, the moralists, and perhaps more than all these, the preachers of the Augustan age of English letters, do not imagine that I would pass over their great defects, when compared with the renowned standards of severe taste in ancient times. Addison may have been pure and ele-

gant; Dryden, airy and nervous; Taylor, witty and fanciful; Hooker, weighty and various; but none of them united force with beauty—the perfection of matter with the most refined and chastened style; and to one charge all, even the most faultless, are exposed—the offence unknown in ancient times, but the besetting sin of later days—they always overdid—never knowing or feeling when they had done enough. In nothing, not even in beauty of collocation and harmony of rhythm, is the vast superiority of the chaste, vigorous, manly style of the Greek orators and writers more conspicuous than in the abstinent use of their prodigious faculties of expression. A single phrase—sometimes a word—and the work is done—the desired impression is made, as it were, with one stroke, there being nothing superfluous interposed to weaken the blow, or break its fall. The commanding idea is singled out; it is made to stand forward; all auxiliaries are rejected; as the Emperor Napoleon selected one point in the heart of his adversary's strength, and brought all his power to bear upon that, careless of the other points which he was sure to carry, if he won the centre, as sure to have carried in vain if he left the centre unsubdued. Far, otherwise, do modern writers make their onset; they resemble rather those campaigners who fit out



twenty little expeditions at a time, to be a laughing stock if they fail, and useless if they succeed; or if they do attack in the right place, so divide their forces, from the dread of leaving any one point unassailed, that they can make no sensible impression, where alone it avails them to be felt. It seems the principle of such authors never to leave any thing unsaid, that can be said on any one topic; to run down every idea they start; to let nothing pass; and leave nothing to the reader, but harass him with anticipating every thing that could possibly strike his mind.

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It is but reciting the ordinary praises of the art of persuasion, to remind you how sacred truths may be most ardently promulgated at the altar—the cause of oppressed innocence be most powerfully defended—the march of wicked rulers be most triumphantly resisted—defiance the most terrible be hurled at the oppressor's head. In great convulsions of public affairs, or in bringing about salutary changes, every one confesses how important an ally eloquence must be. But in peaceful times, when the progress of events is slow and even as the silent and unheeded pace of time, and the jars of a mighty tumult in foreign and domestic

concerns, can no longer be heard, then too she flourishes—protectress of liberty—patroness of improvement—guardian of all the blessings that can be showered upon the mass of human kind ; nor is her form ever seen but on ground consecrated to free institutions. “ *Pacis comes otiiq̄ue socia, et jam bene constitutæ rei publicæ alumna eloquentia.*” To me, calmly revolving these things, such pursuits seem far more noble objects of ambition, than any upon which the vulgar herd of busy men lavish prodigal their restless exertions. To diffuse useful information—to further intellectual refinement, sure forerunner of moral improvement—to hasten the coming of that bright day, when the dawn of general knowledge shall chase away the lazy, lingering mists, even from the base of the great social pyramid ;—this, indeed, is a high calling, in which the most splendid talents and consummate virtue may well press onward, eager to bear a part. I know that I speak in a place, consecrated, by the pious wisdom of ancient times, to the instruction of but a select portion of the community. Yet from this classic ground have gone forth those, whose genius, not their ancestry, ennobled them ; whose incredible merits have opened to all ranks the temple of science ; whose illustrious example has made the humblest zealous to climb steeps no

longer inaccessible, and enter the unfolded gates, burning in the sun. I speak in that city, where Black having once taught, and Watt learned, the grand experiment was afterwards made in our day, and with entire success, to demonstrate that the highest intellectual cultivation is perfectly compatible with the daily cares and toils of working men; to show, by thousands of living examples, that a keen relish for the most sublime truths of science, belongs alike to every class of mankind.

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Real knowledge never promoted either turbulence or unbelief; but its progress is the forerunner of liberality and enlightened toleration. Whoso dreads these, let him tremble; for he may be well assured that their day is at length come, and must put to flight the evil spirit of tyranny and persecution, which haunted the long night now gone down the sky. As men will no longer suffer themselves to be led blindfolded in ignorance, so will they no more yield to the vile principle of judging and treating their fellow creatures, not according to the intrinsic merit of their actions, but according to the accidental and involuntary coincidence of their opinions. The Great Truth has finally gone forth to all the ends of the earth, THAT

MAN SHALL NO MORE RENDER ACCOUNT TO MAN FOR HIS BELIEF, OVER WHICH HE HAS HIMSELF NO CONTROUL. Henceforward, nothing shall prevail upon us to praise or to blame any one for that which he can no more change than he can the hue of his skin, or the height of his stature. Henceforward, treating with entire respect those who conscientiously differ from ourselves, the only practical effect of the difference will be, to make us enlighten the ignorance, on one side, or the other from which it springs, by instructing them if it be theirs; ourselves if it be our own, to the end that the only kind of unanimity may be produced, which is desirable among rational beings—the agreement proceeding from full conviction, after the freest discussion. Far, then, very far, from the universal spread of knowledge being the object of just apprehension to those who watch over the peace of the country, or have a deep interest in the permanence of her institutions, its sure effect will be the removal of the only dangers that threaten the public tranquillity, and the addition of all that is wanting to confirm her internal strength.

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Let me indulge in the hope, that among the illustrious youths, whom this ancient kingdom,

famed alike for its nobility and its learning, has produced to continue her fame through after ages, possibly among those I now address, there may be found some one—I ask no more—willing to give a bright example to other nations, in a path yet untrodden, by taking the lead of his fellow citizens—not in frivolous amusements, nor in the degrading pursuits of the ambitious vulgar—but in the truly noble task of enlightening the mass of his countrymen, and of leaving his own name no longer encircled, as heretofore, with barbaric splendour, or attached to courtly gewgaws, but illustrated by the honours most worthy of our rational nature—coupled with the diffusion of knowledge—and gratefully pronounced through all ages by millions, whom his wise beneficence has rescued from ignorance and vice. To him I will say, “*Hominem ad Deos nullâ re propius accedunt quam salutem hominibus dando: nihil habet nec fortuna tua majus quam ut possis, nec natura tua melius quam ut velis servare quamplurimos.*” This is the true mark for the aim of all, who either prize the enjoyment of pure happiness, or set a right value upon a pure and unsullied renown. And if the benefactors of mankind, when they rest from their pious labours, shall be permitted to enjoy hereafter as an appropriate reward of their virtue, the privi-

lege of looking down upon the blessings with which their toils and sufferings have clothed the scene of their former existence ; do not vainly imagine that, in a state of exalted purity and wisdom, the founders of mighty dynasties, the conquerors of new empires, or the more vulgar crowd of evil-doers, who have sacrificed to their own aggrandisement the good of their fellow creatures, will be gratified by contemplating the monuments of their inglorious fame—theirs will be the delight—theirs the triumph—who can trace the remote effects of their enlightened benevolence in the improved condition of their species, and exult in the reflection, that the prodigious change they now survey, with eyes that age and sorrow can make dim no more—of knowledge become power—virtue sharing in the dominion—superstition trampled under foot—tyranny driven from the world—are the fruits, precious though costly, and though late reaped, yet long enduring, of all the hardships and all the hazards they encountered here below !

EXTRACTS  
FROM  
"A DISCOURSE OF THE  
OBJECTS, ADVANTAGES,  
AND  
PLEASURES OF SCIENCE."

8vo. 1827.

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IT may easily be demonstrated, that there is an advantage in learning, both for the usefulness and the pleasure of it. There is something positively agreeable to all men, to all at least whose nature is not most grovelling and base, in gaining knowledge for its own sake. When you see any thing for the first time, you at once derive some gratification from the sight being new; your attention is awakened, and you desire to know more about it. If it is a piece of workmanship, as an instrument, a machine of any kind, you wish to know how it is made; how it works; and what use it is of. If it is an animal, you desire to know where it comes from; how it lives; what are its dispositions, and, generally, its nature and habits. This desire is felt, too, without at all considering that

the machine or the animal may ever be of the least use to yourself practically ; for, in all probability, you may never see them again. But you have a curiosity to learn all about them, because they are new and unknown. You accordingly make inquiries ; you feel a gratification in getting answers to your questions, that is, in receiving information, and in knowing more,—in being better informed than you were before. If you ever happen again so see the same instrument or animal, you find it agreeable to recollect having seen it formerly, and to think that you know something about it. If you see another instrument or animal, in some respects like, but differing in other particulars, you find it pleasing to compare them together, and to note in what they agree, and in what they differ. Now, all this kind of gratification is of a pure and disinterested nature, and has no reference to any of the common purposes of life ; yet it is a pleasure—an enjoyment. You are nothing the richer for it ; you do not gratify your palate or any other bodily appetite ; and yet it is so pleasing, that you would give something out of your pocket to obtain it, and would forego some bodily enjoyment for its sake. The pleasure derived from Science is exactly of the like nature, or, rather, it is the very same. For what has just been referred to is, in fact, Science,



which in its most comprehensive sense only means *Knowledge*, and in its ordinary sense means *Knowledge reduced to a System*; that is, arranged in a regular order, so as to be conveniently taught, easily remembered, and readily applied.

The practical uses of any science or branch of knowledge are undoubtedly of the highest importance; and there is hardly any man who may not gain some positive advantage in his worldly wealth and comforts, by increasing his stock of information. But there is also a pleasure in seeing the uses to which knowledge may be applied, wholly independent of the share we ourselves may have in those practical benefits. It is pleasing to examine the nature of a new instrument, or the habits of an unknown animal, without considering whether or not they may ever be of use to ourselves or to any body. It is another gratification to extend our inquiries, and find that the instrument or animal is useful to man, even although we have no chance ourselves of ever benefiting by the information: as, to find that the natives of some distant country employ the animal in travelling:—nay, though we have no desire of benefiting by the knowledge; as for example, to find that the instrument is useful in performing some

dangerous surgical operation. The mere gratification of curiosity ; the knowing more to-day than we knew yesterday ; the understanding clearly what before seemed obscure and puzzling ; the contemplation of general truths, and the comparing together of different things,—is an agreeable occupation of the mind ; and, beside the present enjoyment, elevates the faculties above low pursuits, purifies and refines the passions, and helps our reason to assuage their violence.

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Man is composed of two parts, body and mind, connected indeed together, but wholly different from one another. The nature of the union—the part of our outward and visible frame in which it is peculiarly formed—or whether the soul be indeed connected or not with any particular portion of the body, so as to reside there—are points as yet wholly hid from our knowledge, and which are likely to remain for ever concealed. But this we know, as certainly as we can know any truth, that there is such a thing as the mind ; and that we have, at the least, as good proof of its existence, independent of the body, as we have of the existence of the body itself. Each has its uses, and each has its peculiar gratifications.

The bounty of Providence has given us outward senses to be employed, and has furnished the means of gratifying them in various kind, and in ample measure. As long as we only taste those pleasures, according to the rules of prudence and of our duty, that is, in moderation for our own sakes, and in harmlessness towards our neighbours, we fulfil rather than thwart the purpose of our being. But the same bountiful Providence has endowed us with the higher nature also—with understandings as well as with senses—with faculties that are of a more exalted order, and admit of more refined enjoyments, than any the bodily frame can minister; and by pursuing such gratifications, rather than those of mere sense, we fulfil the most exalted ends of our creation, and obtain both a present and a future reward. These things are often said, but they are not, therefore, the less true, or the less worthy of deep attention. Let us mark their practical application to the occupations and enjoyments of all branches of society, beginning with those who form the great bulk of every community, the working classes, by what names soever their vocations may be called—professions, arts, trades, handicrafts, or common labour.

The first object of every man who has to

depend upon his own exertions, must needs be to provide for his daily wants. This is a high and important office ; it deserves his utmost attention ; it includes some of his most sacred duties, both to himself, his kindred, and his country ; and, although, in performing this task, he is only influenced by a regard to his own interest, or by his necessities, yet it is an employment which renders him truly the best benefactor of the community to which he belongs. All other pursuits must give way to this ; the hours which he devotes to learning must be after he has done his work ; his independence, without which he is not fit to be called a man, requires first of all that he should have ensured for himself, and those dependent on him, a comfortable subsistence, before he can have a right to taste any indulgence, either of his senses or of his mind ; and the more he learns—the greater progress he makes in the sciences—the more will he value that independence, and the more will he prize the industry, the habits of regular labour, whereby he is enabled to secure so prime a blessing.

In one view, it is true, the progress which he makes in science may help his ordinary exertions, the main business of every man's life. There is hardly any trade or occupation in

which useful lessons may not be learnt by studying one science or another. The necessity of science to the more liberal professions is self evident; little less manifest is the use to their members of extending their knowledge beyond the branches of study with which their several pursuits are more peculiarly conversant. But the other departments of industry derive hardly less benefit from the same source. To how many kinds of workmen must a knowledge of Mechanical Philosophy prove useful! To how many others does Chemistry prove almost necessary! Every one must with a glance perceive, that to engineers, watch-makers, instrument makers, bleachers, and dyers, those sciences are most useful, if not necessary. But carpenters and masons are surely likely to do their work better for knowing how to measure, which Practical Mathematics teaches them, and how to estimate the strength of timber, of walls, and of arches, which they learn from Practical Mechanics; and they who work in various metals are certain to be the more skilful in their trades for knowing the nature of those substances, and their relations to both heat and other metals, and to the airs and liquids they come in contact with. Nay, the farm-servant, or day-labourer, whether in his master's employ, or tending the concerns of his own

cottage, must derive great practical benefit, must be both a better servant, and a more thrifty, and, therefore, comfortable cottager, for knowing something of the nature of soils and manures, which Chemistry teaches, and something of the habits of animals, and the qualities and growth of plants, which he learns from Natural History and Chemistry together. In truth, though a man be neither mechanic nor peasant, but only one, having a pot to boil, he is sure to learn from science lessons which will enable him to cook his morsel better, save his fuel, and both vary his dish and improve it. The art of good and cheap cookery is intimately connected with the principles of chemical philosophy, and has received much, and will yet receive more, improvement from their application. Nor is it enough to say, that philosophers may discover all that is wanted, and may invent practical methods, which it is sufficient for the working man to learn by rote, without knowing the principles. He never will work so well if he is ignorant of the principles; and for a plain reason:—if he only learn his lesson by rote, the least change of circumstances puts him out. Be the method ever so general, cases will always arise in which it must be varied, in order to apply; and if the workman only knows the rule without knowing the reason, he must be at

fault the moment he is required to make any new application of it. This, then, is the *first* use of learning the principles of science: it makes men more skilful, expert, and useful in the particular kinds of work by which they are to earn their bread, and by which they are to make it go far and taste well when earned.

But another use of such knowledge to handicraftsmen, is equally obvious: it gives every man a chance, according to his natural talents, of becoming an improver of the art he works at, and even a discoverer in the sciences connected with it. He is daily handling the tools and materials with which new experiments are to be made; and daily witnessing the operations of nature, whether in the motions and pressures of bodies, or in their chemical actions on each other. All opportunities of making experiments must be unimproved, all appearances must pass unobserved, if he has no knowledge of the principles; but with this knowledge he is more likely than another person to strike out something new, which may be useful in art, or curious or interesting in science. Very few great discoveries have been made by chance and by ignorant persons, much fewer than is generally supposed. It is commonly told of the steam-engine, that an idle boy being employed to stop and open a valve,

saw that he could save himself the trouble of attending and watching it, by fixing a plug upon a part of the machine which came to the place at the proper times, in consequence of the general movement. This is possible, no doubt; though nothing very certain is known respecting the origin of the story; but improvements of any value are very seldom indeed so easily found out, and hardly another instance can be named of important discoveries so purely accidental. They are generally made by persons of competent knowledge, and who are in search of them. The improvements of the steam-engine, by Watt, resulted from the most learned investigation of mathematical, mechanical, and chemical truths. Arkwright devoted many years, five at the least, to his invention of spinning jennies, and he was a man perfectly conversant in every thing that relates to the construction of machinery: he had minutely examined it, and knew the effects of each part, though he had not received any thing like a scientific education. If he had, we should, in all probability, have been indebted to him for scientific discoveries, as well as practical improvements. The most beautiful and useful invention of late times, the Safety-lamp, was the reward of a series of philosophical experiments, made by one thoroughly skilled in every branch



of chemical science. The new process of Refining Sugar, by which more money has been made in a shorter time, and with less risk and trouble, than was ever, perhaps, gained from an invention, was discovered by a most accomplished chemist,\* and was the fruit of a long course of experiments, in the progress of which, known philosophical principles were constantly applied, and one or two new principles ascertained. But in so far as chance has any thing to do with discovery, surely it is worth the while of those who are constantly working in particular employments to obtain the knowledge required, because their chances are greater than other people's of so applying that knowledge as to hit upon new and useful ideas: they are always in the way of perceiving what is wanting, or what is amiss in the old methods; and they have a better chance of making the improvements. In a word, to use a common expression, they are in the way of good luck; and if they possess the requisite information, they can take advantage of it when it comes to them. This, then, is the *second* great use of learning the sciences, it enables men to make improvements in the arts, and discoveries in philosophy, which may directly benefit themselves and mankind.

\* Edward Howard, brother of the Duke of Norfolk.

Now, these are the *practical* advantages of learning ; but the *third* benefit is, when rightly considered, just as practical as the other two—the pleasure derived from mere knowledge, without any view to our own bodily enjoyments : and this applies to all classes, the idle as well as the industrious ; if, indeed, it be not peculiarly applicable to those who enjoy the inestimable blessing of having time at their command. Every man is by nature endowed with the power of gaining knowledge ; and the taste for it, the capacity to be pleased with it, forms equally a part of the natural constitution of his mind. It is his own fault, or the fault of his education, if he derives no gratification from it. There is a satisfaction in knowing what others know—in not being more ignorant than those we live with : there is a satisfaction in knowing what others do not know—in being more informed than they are. But this is quite independent of the pure pleasure of knowledge—of gratifying a curiosity implanted in us by Providence, to lead us towards the better understanding of the universe in which our lot is cast, and the nature wherewithal we are clothed. That every man is capable of being delighted with extending his information upon matters of science will be evident from a few plain considerations.

Reflect how many parts of the reading, even of persons ignorant of all sciences, refer to matters wholly unconnected with any interest or advantage to be derived from the knowledge acquired. Every one is amused with reading a story : a romance may divert some, and a fairy tale may entertain others : but no benefit beyond the amusement is derived from this source : the imagination is gratified ; and we willingly spend a good deal of time and a little money in this gratification, rather than in resting after fatigue, or in any other bodily indulgence. So we read a newspaper, without any view to the advantage we are to gain from learning the news, but because it interests and amuses us to know what is passing. One object, no doubt, is to become acquainted with matters relating to the welfare of the country ; but we also read the occurrences which do little or not at all regard the public interests, and we take a pleasure in reading them. Accidents, adventures, anecdotes, crimes, and a variety of other things amuse us, independent of the information respecting public affairs, in which we feel interested as citizens of the state, or as members of a particular body. It is of little importance to inquire how and why these things excite our attention, and wherefore the reading about them is a pleasure : the fact is certain ; and it proves

clearly that there is a positive enjoyment in knowing what we did not know before: and this pleasure is greatly increased when the information is such as excites our surprise, wonder, or admiration. Most persons who take delight in reading tales of ghosts, which they know to be false, and feel all the while to be silly in the extreme, are merely gratified, or rather occupied, with the strong emotions of horror excited by the momentary belief, for it can only last an instant. Such reading is a degrading waste of precious time, and has even a bad effect upon the feelings and the judgment.\* But true stories of horrid crimes, as murders, and pitiable misfortunes, as shipwrecks, are not much more instructive. It may be better to read these than to sit yawning and idle—much better than to sit drinking or gaming, which, when carried to the least excess, are crimes in themselves, and the fruitful parents of many more. But this is nearly as much as can be said for such vain and

\* *Childrens' Books* have, at all times, been made upon the pernicious plan of exciting wonder, generally horror, at whatever risk. The folly and misery occasioned by this error, it would be difficult to estimate. The time may come when it will be felt and understood. At present, the inveterate habits of parents and nurses prevent children from benefitting by the excellent lessons of Mrs. Barbauld and Miss Edgeworth.

unprofitable reading. If it be a pleasure to gratify curiosity, to know what we were ignorant of, to have our feelings of wonder called forth, how pure a delight of this very kind does Natural Science hold out to its Students! Recollect some of the extraordinary discoveries of Mechanical Philosophy. How wonderful are the laws that regulate the motions of fluids! Is there any thing in all the idle books of tales and horrors more truly astonishing than the fact, that a few pounds of water may, by mere pressure, without any machinery—by merely being placed in a particular way, produce an irresistible force? What can be more strange, than that an ounce weight should balance hundreds of pounds, by the intervention of a few bars of thin iron? Observe the extraordinary truths which Optical Science discloses. Can any thing surprise us more, than to find that the colour of white is a mixture of all others—that red, and blue, and green, and all the rest, merely by being blended in certain proportions, form what we had fancied rather, to be no colour at all, than all colours together? Chemistry is not behind in its wonders. That the diamond should be made of the same material with coal; that water should be chiefly composed of an inflammable substance: that acids should be, for the most part, formed of different kinds of

air, and that one of those acids, whose strength can dissolve almost any of the metals, should consist of the self-same ingredients with the common air we breathe; that salts should be of a metallic nature, and composed, in great part, of metals, fluid like quicksilver, but lighter than water, and which, without any heating, take fire upon being exposed to the air, and by burning form the substance so abounding in saltpetre and in the ashes of burnt wood:—these, surely, are things to excite the wonder of any reflecting mind—nay, of any one but little accustomed to reflect. And yet these are trifling when compared to the prodigies which Astronomy opens to our view: the enormous masses of the heavenly bodies; their immense distances; their countless numbers, and their motions, whose swiftness mocks the uttermost efforts of the imagination.

Akin to this pleasure of contemplating new and extraordinary truths, is the gratification of a more learned curiosity, by tracing resemblances and relations between things which, to common apprehension, seem widely different. Mathematical science, to thinking minds, affords this pleasure in a high degree. It is agreeable to know that the three angles of every triangle, whatever be its size, howsoever its sides may

be inclined to each other, are always, of necessity, when taken together, the same in amount : that any regular kind of figure whatever, upon the one side of a right-angled triangle, is equal to the two figures of the same kind upon the two other sides, whatever be the size of the triangle : that the properties of an oval curve are extremely similar to those of a curve, which appears the least like it of any, consisting of two branches of infinite extent, with their backs turned to each other. To trace such unexpected resemblances is, indeed, the object of all philosophy ; and experimental science, in particular, is occupied with such investigations, giving us general views, and enabling us to explain the appearances of nature, that is, to show how one appearance is connected with another. But we are now considering only the gratification derived from learning these things.

It is surely a satisfaction, for instance, to know that the same thing, or motion, or whatever it is, which causes the sensation of heat, causes also fluidity, and expands bodies in all directions ; that electricity, the light which is seen on the back of a cat when slightly rubbed on a frosty evening, is the very same matter with the lightning of the clouds ;—that plants breathe like ourselves, but differently by day

and by night ;—that the air which burns in our lamps enables a balloon to mount, and causes the globules of the dust of plants to rise, float through the air, and continue their race ;—in a word, is the immediate cause of vegetation. Nothing can at first view appear less like, or less likely to be caused by the same thing, than the processes of burning and of breathing,—the rust of metals and burning,—an acid and rust,—the influence of a plant on the air it grows in by night, and of an animal on the same air at any time, nay, and of a body burning in that air ; and yet all these are the same operation. It is an undeniable fact, that the very same thing which makes the fire burn, makes metals rust, forms acids, and enables plants and animals to breathe ; that these operations, so unlike to common eyes, when examined by the light of science, are the same,—the rusting of metals,—the formation of acids, the burning of inflammable bodies,—the breathing of animals, and the growth of plants by night. To know this is a positive gratification. Is it not pleasing to find the same substance in various situations extremely unlike each other ;—to meet with fixed air as the produce of burning, of breathing, and of vegetation ;—to find that it is the choke-damp of mines, the bad air in the grotto at Naples, the cause of death in neglecting brewers’



vats, and of the brisk and acid flavour of Seltzer and other mineral springs? Nothing can be less like than the working of a vast steam-engine, of the old construction, and the crawling of a fly upon the window. Yet we find that these two operations are performed by the same means, the weight of the atmosphere, and that a sea-horse climbs the ice-hills by no other power. Can any thing be more strange to contemplate? Is there in all the fairy-tales that ever were fancied, any thing more calculated to arrest the attention and to occupy and to gratify the mind, than this most unexpected resemblance between things so unlike, to the eyes of ordinary beholders? What more pleasing occupation than to see uncovered and bared before our eyes, the very instrument and the process by which Nature works? Then we raise our views to the structures of the heavens; and are again gratified with tracing accurate but most unexpected resemblances. Is it not in the highest degree interesting to find, that the power which keeps this earth in its shape, and in its path, wheeling upon its axis and round the sun, extends over all the other worlds that compose the universe, and gives to each its proper place and motion; that this same power keeps the moon in her path round our earth, and our earth in its path round the sun, and

each planet in its path ; that the same power causes the tides upon our globe, and the peculiar form of the globe itself ; and that, after all, it is the same power which makes a stone fall to the ground ? To learn these things, and to reflect upon them, occupies the faculties, fills the mind, and produces certain as well as pure gratification.

But if the knowledge of the doctrines unfolded by science is pleasing, so is the being able to trace the steps by which those doctrines are investigated, and their truth demonstrated : indeed, you cannot be said, in any sense of the word, to have learnt them, or to know them, if you have not so studied them as to perceive how they are proved. Without this you never can expect to remember them long, or to understand them accurately ; and that would of itself be reason enough for examining closely the grounds they rest on. But there is the highest gratification of all, in being able to see distinctly those grounds, so as to be satisfied that a belief in the doctrines is well founded. Hence to follow a demonstration of a grand mathematical truth—to perceive how clearly and how inevitably one step succeeds another, and how the whole steps lead to the conclusion—to observe how certainly and unerringly the reasoning goes

on from things perfectly self-evident, and by the smallest addition at each step, every one being as easily taken after the one before as the first step of all was, and yet the result being something not only far from self-evident, but so general and strange, that you can hardly believe it to be true, and are only convinced of it by going over the whole reasoning—this operation of the understanding, to those who so exercise themselves, always affords the highest delight. The contemplation of experimental enquiries, and the examination of reasoning founded upon the facts which our experiments and observations disclose, is another fruitful source of enjoyment, and no other means can be devised for either imprinting the results upon our memory, or enabling us really to enjoy the whole pleasures of science. They who found the study of some branches dry and tedious at the first, have generally become more and more interested as they went on; each difficulty overcome gives an additional relish to the pursuit, and makes us feel, as it were, that we have by our work and labour established a right of property in the subject. Let any man pass an evening in vacant idleness, or even in reading some silly tale, and compare the state of his mind when he goes to sleep, or gets up next morning with its state some other day when he

has passed a few hours in going through the proofs, by facts and reasoning, of some of the great doctrines in Natural Science, learning truths wholly new to him, and satisfying himself by careful examination of the grounds on which known truths rest, so as to be not only acquainted with the doctrines themselves, but able to show why he believes them, and to prove before others that they are true ;—he will find as great a difference as can exist in the same being,—the difference between looking back upon time unprofitably wasted, and time spent in self-improvement : he will feel himself in the one case listless and dissatisfied, in the other comfortable and happy : in the one case, if he do not appear to himself humbled, at least he will not have earned any claim to his own respect ; in the other case, he will enjoy a proud consciousness of having, by his own exertions, become a wiser and therefore a more exalted creature.

To pass our time in the study of the sciences, in learning what others have discovered, and in extending the bounds of human knowledge, has, in all ages, been reckoned the most dignified and happy of human occupations ; and the name of Philosopher, or Lover of Wisdom, is given to those who lead such a life. But it is

by no means necessary that a man should do nothing else than study known truths, and explore new, in order to earn this high title. Some of the greatest Philosophers, in all ages, have been engaged in the pursuits of active life ; and an assiduous devotion of the bulk of our time to the work which our condition requires, is an important duty, and indicates the possession of practical wisdom. This, however, does by no means hinder us from applying the rest of our time, beside what nature requires for meals and rest, to the study of science ; and he who, in whatever station his lot may be cast, works his day's work, and improves his mind in the evening, as well as he who, placed above such necessity, prefers the refined and elevating pleasures of knowledge, to the low gratification of the senses, richly deserves the name of a True Philosopher.

One of the most delightful treats which science affords us is the knowledge of the extraordinary powers with which the human mind is endowed. No man, until he has studied philosophy, can have a just idea of the great things for which Providence has fitted his understanding—the extraordinary disproportion which there is between his natural strength, and the powers of his mind, and the force he

derives from them. When we survey the marvellous truths of Astronomy, we are first of all lost in the feeling of immense space, and of the comparative insignificance of this globe and its inhabitants. But there soon arises a sense of gratification and of new wonder, at perceiving how so insignificant a creature has been able to reach such a knowledge of the unbounded system of the universe—to penetrate, as it were, through all space, and become familiar with the laws of nature at distances so enormous as baffle our imagination—to be able to say, not merely that the Sun has 329,630 times the quantity of matter which our globe has, Jupiter  $308\frac{9}{10}$ , and Saturn  $93\frac{1}{2}$  times; but that a pound of lead weighs at the Sun 22 lbs. 15 ozs. 16 dwts. 8 grs. and  $\frac{3}{4}$  of a grain! at Jupiter 2 lbs. 1 oz. 19 dwts. 1 gr.  $\frac{20}{49}$ ; and at Saturn 1 lb. 3 ozs. 8 dwts. 20 grs.  $\frac{1}{11}$  part of a grain! And what is far more wonderful, to discover the laws by which the whole of this vast system is held together, and maintained through countless ages in perfect security and order. It is surely no mean reward of our labour to become acquainted with the prodigious genius of those who have almost exalted the nature of man above its destined sphere, when, admitted to a fellowship with these loftier minds, we discover how it comes to pass that, by universal consent,

they hold a station apart, rising over all the Great Teachers of mankind, and spoken of reverently, as if NEWTON and LAPLACE were not the names of mortal men.

The highest of all our gratifications in the contemplations of science remains: we are raised by them to an understanding of the infinite wisdom and goodness which the Creator has displayed in his works. Not a step can we take in any direction, without perceiving the most extraordinary traces of design; and the skill everywhere conspicuous, is calculated, in so vast a proportion of instances, to promote the happiness of living creatures, and especially of our own kind, that we can feel no hesitation in concluding that, if we knew the whole scheme of Providence, every part would be found in harmony with a plan of absolute benevolence. Independently, however, of this most consoling inference, the delight is inexpressible of being able to follow, as it were, with our eyes, the marvellous works of the Great Architect of Nature—to trace the unbounded power and exquisite skill which are exhibited in the most minute, as well as the mightiest parts of his system. The pleasure derived from this study is unceasing, and so various, that it never tires the appetite. But it is unlike the low gratifi-

cations of sense in another respect : while those hurt the health, debase the understanding, and corrupt the feelings, this elevates and refines our nature, teaching us to look upon all earthly objects as insignificant and below our notice, except the pursuit of knowledge and the cultivation of virtue ; and giving a dignity and importance to the enjoyment of life, which the frivolous and the grovelling cannot even comprehend.

Let us, then, conclude, that the Pleasures of Science go hand in hand with the solid benefits derived from it ; that they tend, unlike other gratifications, not only to make our lives more agreeable, but better ; and that a rational being is bound, by every motive of interest and of duty, to direct his mind towards pursuits which are found to be the sure path of Virtue as well as of happiness.



EXTRACTS FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
ON  
THE ADDRESS IN ANSWER TO THE  
KING'S SPEECH,  
ON  
THE OPENING OF THE SESSION,  
JANUARY 29th, 1828.

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AGAINST one paragraph of this Address I am most anxious to record at once my unqualified dissent; having at the same time the fullest and firmest conviction, that that dissent will be re-echoed from one end of the kingdom to the other. I mean to allude to the manner in which the late glorious, brilliant, decisive, and immortal achievement at Navarino was described, as being a matter to be lamented. This is the first time I ever saw men anxious to come forward and refuse credit where it had been called for, and set at nought the most splendid achievement of their arms. It has been reserved for some of the men of these times

to triumph and be afraid—to conquer and to repine—to fight, as heroes did, the contest of freedom, and still to tremble like slaves—to act gloriously and repine bitterly—to win by brave men the battle of liberty in the east, and in the west to pluck from the valiant brow the laurels which it had so nobly earned, and plant the cypress in their stead, because the conqueror had fought for religion and liberty. I hail as a bad omen the designation of a great naval achievement as an “untoward event.”

\* \* \* \*

I have no fear of slavery being introduced into this country by the power of the sword. It will take a stronger, it will demand a more powerful man even than the Duke of Wellington to effect such an object. The Noble Duke may take the army, he may take the navy, he may take the mitre, he may take the great seal—I will make the Noble Duke a present of them all. Let him come on with his whole force, sword in hand, against the constitution, and the energies of the people of this country will not only beat him, but laugh at his efforts. Therefore I am perfectly satisfied there will be no unconstitutional attack on the liberties of the people. These are not the times for such an attempt. There have been periods when the

country heard with dismay that "the soldier was abroad." That is not the case now. Let the soldier be ever so much abroad in the present age, he can do nothing. There is another person abroad—a less important person—in the eyes of some an insignificant person—whose labours have tended to produce this state of things. The schoolmaster is abroad; and I trust more to the schoolmaster armed with his primer, than I do to the soldier in full military array, for upholding and extending the liberties of my country. I think the appointment of the Duke of Wellington is bad, in a constitutional point of view; but as to violence being, in consequence, directed against the liberties of the country, the fear of such an event I look upon as futile and groundless.

EXTRACTS FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
ON MOVING AN  
ADDRESS TO THE CROWN  
RELATIVE TO  
THE STATE OF THE LAW.  
FEBRUARY 7th, 1828.

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IF we view the whole establishments of the country—the Government by the King, and the other Estates of the Realm,—the entire system of Administration, whether civil or military,—the vast establishments of land and of naval force by which the State is defended,—our foreign negotiations, intended to preserve peace with the world,—our domestic arrangements, necessary to make the Government respected by the people,—or our fiscal regulations, by which the expense of the whole is to be supported,—all shrink into nothing, when compared with the pure, and prompt, and cheap Administration of Justice throughout the community. I will, indeed, make no such com-

parison; I will not put in contrast things so inseparably connected; for all the establishments formed by our ancestors, and supported by their descendants, were invented, and are chiefly maintained, in order that justice may be duly administered between man and man. And, in my mind, he was guilty of no error,—he was chargeable with no exaggeration,—he was betrayed by his fancy into no metaphor, who once said, that all we see about us, King,—Lords, and Commons, the whole machinery of the State, all the apparatus of the system, and its varied workings, end in simply bringing twelve good men into a box. Such—the administration of justice—is the cause of the establishment of Government—such is the use of Government: it is this purpose which can alone justify restraints on natural liberty—it is this only which can excuse constant interference with the rights and property of men.

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The great object of every Government, in selecting the Judges of the land, should be to obtain the most skilful and learned men in their profession, and, at the same time, the men whose character gives the best security for the pure and impartial administration of justice. I almost feel ashamed, Sir, to have troubled

you with such a truism ; but the House will presently see the application I am about to make of it. Sorry am I to say that our system of judicial promotion sins in both these particulars. Government ought to fill the Bench with men taken from among the most learned lawyers and most accomplished advocates—men who have both knowledge of the depth of jurisprudence, and sagacity to apply it—men who from experience, as leading advocates, possess the power of taking large and enlightened views of questions, and of promptly seizing the bearings of a case. There cannot be a greater error than theirs who fancy that an able advocate makes a bad judge ; all experience is against it. The best judges in my time, with the exception of the present Lord Chief Justice,\* than whom no man can discharge his office more excellently and efficiently, have all of them been previously distinguished in the profession as advocates. But not only should the choice be unconfined by the legal acquirements and professional habits of the practitioner ; there ought not to be, in choosing Judges from the bar, any exclusion or restriction. He alone ought to be selected, in whom talent, and integrity, and experience, most abound, and are best united. The office of Judge is of so important and responsible a nature, that one

\* Lord Tenterden.

should suppose the members of Government would naturally require that they should be at liberty to make their selection from the whole field of the profession—that they would themselves claim to have the whole field open to their choice. Who could believe that a Ministry would not eagerly seek to have all men before them, when their object must be to choose the most able and accomplished. But although this is obvious and undeniable, and although the extension of the Minister's search cannot fail to be attended with the highest public advantage, as well as the greatest relief to him in performing his trust, is it the case that any such general and uncontrouled choice is exercised? Is all the field really open? Are there no portions of the domain excluded from the selector's authority? True, no law prevents such a search for capacity and worth! True, the doors of Westminster Hall stand open to the Minister! He may enter those gates, and choose the ablest and the best man there, be his talent what it may, be his character what it may, be his party what it may; no man to whom the offer is made, will refuse to be a Judge. But there is a custom above the law—a custom in my mind, “more honoured in the breach than the observance,” that party as well as merit must be studied in these appointments. One

half of the Bar is thus excluded from the competition ; for no man can be a Judge who is not of a particular party. Unless he be the known adherent of a certain system of government,—unless his party happen to be the party connected with the crown, or allied with the Ministry of the day, there is no chance for him ; that man is surely excluded. Men must be on one side of the great political question to become judges ; and no one may hope to fill that dignified office, unless he belongs to the side on which courtly favour shines ; his seat on the bench must depend, generally speaking, on his supporting the leading principles of the existing Administration.

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How can I, or any one conversant with the practice of the law, adequately express the benefits of having a cheap redress for petty wrongs, when we daily witness the evils of the opposite system ! How often have I been able to trace bankruptcies and insolvencies to some law suit, about ten or fifteen pounds, the costs of which have mounted up to large sums, and been the beginning of embarrassment ! Nay, how often have we seen men in the situation described by Dean Swift, who represents Gulliver's father as ruined by gaining a Chancery suit, with costs !

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After Mr. Justice Blackstone had written his beautiful, and, in part, profound Commentaries, there occurred a case, which he published himself in his Reports, and which must, I conclude, have happened after the panegyrics were composed. I marvel much, however, that, when a subsequent edition of his Commentaries appeared, he did not correct the error into which he must then have been convinced, that he had been betrayed by his excessive admiration for the forms and technicalities of our common law. The case, as reported by himself, was in substance this: a gentleman of the name of Robinson, in Yorkshire, was minded to try the resources of the law in an action of trespass against some poor men, who lived near him. In the course of it, reference was made to the Master, to report by whose fault the pleadings in the action had extended to a most enormous and unprecedented length. The Master reported, that in the declaration there were five counts; that twenty-seven several pleas of justification were pleaded by the defendants, which, with replications, traverses, new assignments, and other monuments of pleading, amounted at length to a paper book of near two thousand sheets. He was of opinion, that the fault lay principally in the length and intricacy of the declaration, the action being only

brought to try whether the freeholders and copyholders of the Manor, whereof Robinson was Lord, were entitled to common in a ground called the inclosure. He likewise reported, that the declaration was so catching, by ringing changes upon the several defendants, and the several names of the ground, that it was necessary to guard every loop-hole; which made their pleas so various and so long, especially as Mr. Robinson had declared, that he had drawn the declaration in this manner “on purpose to catch the defendants, and that he would scourge them with a rod of iron.” The Court was very indignant at this abuse of the technicalities of the law, and the book, says Mr. Robinson, appeared in *propria persona*, to shew cause against this report, “no other Council caring to be employed for him.” The Court ordered Mr. Sergeant Hewitt, and Mr. Winn, to settle an issue, which they did in a quarter of an hour, and in the space of a quarter sheet of paper, instead of two thousand folios. Talk of scourging with a rod of iron! Why should he think of it? The lash of parchment, which is applied to all suitors in our Courts of Law—that flapper, which keeps them awake to the course of justice, by the expense and anxiety it inflicts,—that truly parental corrector of human errors, manufactured in the engines of practice and pleading,

which, pretending to enlighten, serve only to keep the court and the suitors in the dark as to what they are conflicting about, and oftentimes teach them nothing certain, but that they are ruined, and cannot tell how: this parchment lash was a far more safe as well as powerful scourge for the rich and crafty lawyer, and a far more deadly one for his poor and simple antagonists, than any rod of iron which he could have forged in all Colebrookdale !

\* \* \* \* \*

Speaking from experience, and experience alone, as a practical lawyer, I must aver, that I consider the method of Juries a most wholesome, wise, and almost perfect invention, for the purposes of judicial inquiry. In the first place, it controuls the Judge, who might, not only in political cases, have a prejudice against one party, or a leaning towards another; but might also, in cases not avowedly political, where some chord of political feeling is unexpectedly struck, if left supreme, shew a bias respecting suitors, or, what is detrimental to justice, their council or attornies. In the second place, it supplies that knowledge of the world, and that sympathy with its tastes and feelings, which Judges seldom possess, and which, from their habits and station in society, it is not

decent that they should possess, in a large measure, upon all subjects. In the third place, what individual can so well weigh conflicting evidence, as twelve men, indifferently chosen from the middle classes of the community, of various habits, characters, prejudices, and ability? The number and variety of the persons is eminently calculated to secure a sound conclusion upon the opposing evidence of witnesses or of circumstances. Lastly, what individual can so well assess the amount of damages which a Plaintiff ought to recover for any injury he has received? How can a Judge decide half so well as an intelligent Jury, whether he should recover as a compensation for an assault, fifty pounds or a hundred pounds damages, for the seduction of his wife or daughter, fifteen hundred or two thousand, or five thousand pounds damages? The system is above all praise, it looks well in theory, and works well in practice.

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The great stream of time is perpetually flowing on; all things around us are in ceaseless motion; and we vainly imagine to preserve our relative position among them, by getting out of the current and standing stock still on the margin. The stately vessel we belong to glides

down ; our bark is attached to it ; we might “ pursue the triumph and partake the gale ;” but, worse than the fool who stares, expecting the current to flow down and run out, we exclaim—stop the boat !—and would tear it away to strand it, for the sake of preserving its connexion with the vessel. All the changes that are hourly and gently going on in spite of us, and all those which we ought to make, that violent severances of settled relations may not be effected, far from exciting murmurs of discontent, ought to be gladly hailed as dispensations of a bountiful Providence, instead of filling us with a thoughtless and preposterous alarm.

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I must, once more, press upon the attention of the House the necessity of taking a general view of the whole system in whatever inquiries may be instituted. Partial legislation on such a subject is pregnant with mischief. Timid men, but still more blind than they are timid, recommend taking a single branch at a time, and imagine that they are consulting the safety of the mass. It is the very reverse of safe. In the body of the law all the members are closely connected ; you cannot touch one without affecting the rest ; and if your eye is con-

finer to the one you deal with, you cannot tell what others may be injured, and how. Even a manifest imperfection may not be removed without great risk when it is not in some insulated part; for it oftentimes happens that, by long use, a defect has given rise to some new arrangement far beyond itself, and not to be disturbed with impunity. The topical reformer, who confines his care to one flaw, may thus do as much injury as a surgeon who should set himself about violently reducing a luxation of long standing, where nature had partially remedied the evil by forming a false joint, or should cut away some visceral excrescence in which a new system of circulation and other action was going on. Depend upon it, the general reformation of such a mechanism as our law, is not only the most effectual, but the only safe course. This, in truth, alone deserves the name of either a rational or a temperate reform.

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After a long interval of various fortune, and filled with vast events, but marked from age to age by a steady course of improvement, we are again called to the grand labour of surveying and amending our Laws. For this task, it well becomes us to begird ourselves, as the honest representatives of the people. Dispatch and

vigour are imperiously demanded; but that deliberation, too, must not be lost sight of, which so mighty an enterprize requires. When we shall have done the work, we may fairly challenge the utmost approval of our constituents, for in none other have they so deep a stake.

The course is clear before us; the race is glorious to run. You have the power of sending your name down through all times, illustrated by deeds of higher fame, and more useful import, than ever were done within these walls. You saw the greatest warrior of the age—conqueror of Italy—humbler of Germany—terror of the north—saw him account all his matchless victories poor, compared with the triumph you are now in a condition to win—saw him condemn the fickleness of fortune, while, in despite of her, he could pronounce his memorable boast, “I shall go down to posterity with the Code in my hand!” You have vanquished him in the field; strive now to rival him in the sacred arts of peace! Outstrip him as a lawgiver, whom in arms you overcame! The lustre of the Regency will be eclipsed by the more solid and enduring splendour of the Reign. The praise which false courtiers feigned for our Edwards and Harrys, the Justinians of their day, will be

the just tribute of the wise and the good to that Monarch under whose sway so mighty an undertaking shall be accomplished. Of a truth, sceptres are most chiefly to be envied for that they bestow the power of thus conquering and ruling thus. It was the boast of Augustus—it formed part of the glare in which the perfidies of his earlier years were lost—that he found Rome of brick, and left it of marble; a praise not unworthy a great Prince, and to which the present reign has its claims also. But how much nobler will be our Sovereign's boast, when he shall have it to say, that he found law dear, and left it cheap; found it a sealed book—left it a living letter; found it the patrimony of the rich—left it the inheritance of the poor; found it the two-edged sword of craft and oppression—left it the staff of honesty and the shield of innocence! To me, much reflecting on these things, it has always seemed a worthier honour to be the instrument of making you bestir yourselves in this high matter, than to enjoy all that office can bestow—office, of which the patronage would be an irksome incumbrance, the emoluments superfluous to one content with the rest of his industrious fellow-citizens, that his own hands minister to his wants; and as for the power supposed to follow it—I have lived near half a century, and I have learned that



power and place may be severed. But one power I do prize : that of being the advocate of my countrymen here, and their fellow labourer elsewhere, in those things which concern the best interests of mankind. That power I know full well, no government can give—no change take away !

EXTRACTS FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
IN  
SUPPORT OF THE REPEAL  
OF THE  
TEST AND CORPORATION ACTS,  
FEBRUARY 26th, 1828.

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THE Honourable Baronet\* says, "I do not like  
" to talk so slightly of—I do not like to dis-  
" parage—the wisdom of our ancestors." Far  
be it from me, Sir, to disparage the praise thus  
bestowed by the Honourable Baronet on "the  
wisdom of our ancestors." The phrase, how-  
ever, I consider to have been one of the most  
fruitful sources of mischief to the country; but  
I must inform the Honourable Baronet, that  
that phrase had been disparaged long before  
the existence of the Test and Corporation Acts  
—not by ridicule, but by sound argument—not

\* Sir Robert H. Inglis.

by the sneers of the senseless, but by the soundest wisdom, the greatest knowledge, the highest intellect, that England ever produced. I commend the phrase to the mitigated censure of the Honourable Baronet. For it was a Lord High Chancellor of England—a person of the name of Bacon, or some such name—a name, perhaps, which has no respect in the eyes of the Honourable Baronet—who first stamped the seal of disparagement on the phrase which the Honourable Baronet brings forward this evening “to fright the House from its propriety.” He it was, Sir, who first reprobated the eternally—recurring praises of the “wisdom of our ancestors.” He it was, who laughed at the phrase “experience of past ages.” “In truth,” said he, “if not a contradiction in terms, it is the grossest abuse of language: for it proceeds upon this basis, that the world was older and wiser when it was younger, than it now is, when every youth knows more than the grey hairs of former times.”

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We have been told, Sir, that the imposing the Sacrament as a test has been long in existence; and we have often been asked, “What does it signify?” This question has been repeated, Sir, this evening; and it has been

answered—unanswerably answered by my Honourable Friend below me,\* and by the Honourable Gentleman who spoke so ably in the early part of the evening.† “What does it signify?” Why, Sir, I say it signifies every thing. First and foremost it signifies a great deal to the Church itself: and here I speak as a Churchman—as a member of the Christian Church established in England—founded on the doctrines of the Scripture, patronised by the State, and confirmed by statute, as well as by common law. I would ask every man—particularly every serious man, who has made religion an object of his contemplation, and who values it a rush, whether there could, by possibility, be devised a greater impropriety—a more polluting, more degrading, indecency and impiety, than to make the Sacrament a custom of the Constitution, and the test of office—it is the most holy rite of our religion—of the purest religion upon earth—of a religion which, above all others, that all time had seen dawn upon man, was most abhorrent of secular ties,—most alien from fleshly purposes—of a peculiarly mild character; and which, from its beginning, though other religions allowed mankind to share with other Gods, had forbid contamination with such Gods, and fleshly lusts, and the worship of

\* Mr. Fergusson.

† Mr. Wilbraham.

Mammon—this religion, the purest of all religions, and this rite, the most holy rite of that religion was, by this statute, degraded and polluted, by being made the passport to the place of a common game-keeper. Is not this enough—is not this sufficient—to make us all say, that it ought to exist no longer? Does not this fact cast upon those who maintain the necessity of continuing this act in force, the onus of showing—not by talking to us about the wisdom of our ancestors, of the law, of the State, of tythes, of the clergy, but by sound argument—the necessity, the absolute necessity, for the safety of the Church, as part and parcel of the safety of the State, that this precise form should be upheld.

EXTRACT FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
RELATIVE TO  
THE AFFAIRS OF PORTUGAL,  
JUNE 1st, 1829.

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WITH respect to the character and conduct of the man who now rules the destinies of Portugal, I am unwilling to detain the House by any observations of mine on his enormities: I leave his conduct exposed to the fearful reflections of my Right Honourable Friend.\* We are not, I agree, to be governed in our conduct by the character of this individual, odious as it is. Though I believe the whole conduct of the man to be detestable, though he deserves not to be mentioned in comparison with any modern petty despots, but rather to be classed with the prodigious monsters of antiquity, Dom Miguel is still the *de facto* Monarch of Portugal:—the more is the pity. As long as he confines himself to Portugal, however, we may sincerely

\* Sir James Macintosh.

wish that there may be a speedy term to his degrading tyranny,—however, we may offer up our prayers that the days of his frightful cruelty may be numbered, and a speedy end be put to his reign of terror and bloodshed,—still we have no right to interfere; it is more than ever incumbent on us to keep England free from any danger of being involved in foreign hostilities—a duty second only to that of preserving peace at home. Therefore, so long as Dom Miguel remains in his own country,—except that we should hold him a usurper, and refuse to acknowledge him as the legitimate governor of that country,—beyond that I care not; but let him beware of going beyond the limits of Portugal; for if he exceeds them, he makes it imperative upon me to inquire into his title—I am bound to examine it—I am bound to investigate the right he claims of governing Portugal. He has done so; he has exceeded his limits; he has blockaded Terceira, and there he is no more a King, *de facto*; there Donna Maria is not only the Sovereign *de jure*, but *de facto* also; there Dom Miguel, that foul pretender and usurper, is not only not a King, but he is not a usurper *de facto*; his usurpation is confined within certain limits—in Portugal it wore a tangible shape, in Terceira he is a traitor and a conspirator. In Donna Maria the fact and the right coincide;

she is the rightful and the actual Sovereign of Terceira. Why, then, should I not be suffered to go to Terceira? Because Dom Miguel does not like me to go there. Thus, Dom Miguel establishes a paper blockade, for it is nothing more; therefore we acknowledge the blockade, and not only so, but we co-operate with him. Is this, or is it not neutrality? Is this acting up to that sacred law which we profess to follow, and which is the corner-stone of that peace which it gave me pleasure to hear so praised, not by my Right Honourable Friend merely, but by the Right Honourable Gentleman opposite\*—which is not only consistent with the real interests of the country, but which it is our first, and paramount, and sacred duty to preserve inviolate? Peace, at all times, is the dearest object of my heart, but it is doubly and trebly dear at the present moment, when we are suffering under the effects of a war of a quarter of a century;—when we are smarting and bleeding at every pore (I may say so without a figure), it becomes the first and bounden duty of the Government, and ought to be an object nearest its heart, that nothing should be done, or said, or whispered in the ear, or even dreamed of, that might put that peace to risk. Happy am I to hear that we have become more

\* Sir Robert Peel.



sensible of the blessings of peace ; that the ardour of military glory, and the thirst of fame, that curse of nations, especially amongst our neighbours who have been greater admirers of it, and greater sufferers from its effects than even ourselves, no longer govern our policy : most heartily do I rejoice at hearing this mania stigmatized as it has been this night.

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Though many may think that the crimes of Dom Miguel, and the sufferings of his unhappy subjects, give us a right to interfere with his government, and to tear him down from that height which by his crimes he has ascended, yet, however anxious might be my wish to see that tyranny put an end to, I should be the last man to counsel stirring one step for the purpose of obtaining an object, which, though greatly to be desired, can only justly, can only safely, can only lawfully be accomplished by those who live under his government. I would counsel, strictly and rigorously, non-interference, with reference even to Dom Miguel, not that I hate his tyranny less, but that I love peace and its principles more.

EXTRACTS FROM A SPEECH

IN THE

HOUSE OF COMMONS,

ON

THE INTRODUCTION

OF

THE LOCAL COURT BILL,

APRIL 29th, 1830.

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IF it were asserted there was any country in which a man, in order to recover a debt of £6. or £7., must begin by expending £60. or £70.,—where, at the outset, to use a common expression, he had to run the risk of throwing so much good money after bad,—it would at once be said, that whatever other benefits, or advantages that country enjoyed, at least it was not fortunate in its system of law. But, if it were added, that in addition to spending £60. or £70., a man must endure great difficulties, anxiety, and uncertainty, infinite bandying to and fro, and moving about from province to province, and from court to court, before he could obtain judgment, then our envy of the country where

such administration of the law and legal institutions existed, would be still further diminished. If to this information, it were added, that in the same country, after having spent £60. or £70., the adversary of the creditor would have the power of keeping all his property out of his way, so that, after all his expense, all his delay, and all his anxiety, it would still be doubtful whether he could obtain a single farthing of his debt; if, furthermore, it were stated, that in the same country, if the debtor were solvent and willing to pay what the law required from his hands, the creditor would receive, it is true, his original claim of £6. or £7., but not the whole £60. or £70. which he had expended in costs to recover it, by about £20.,—so that, on the balance, he would be some £13. or £14. out of pocket by success, over and above the amount of the debt which he recovered, after being exposed to a variety of plagues and the annoyance of these proceedings;—if we were told of such a case, would not the natural enquiry be “whether it was possible that such a country existed?” Sir, the individual to whom this strange information was given, if he supposed it possible that such a country existed, would at least pronounce it to be one of the most barbarous and unenlightened in the world. That it must be a poor country, he would think quite

obvious—and equally obvious, that it must be of no commercial power—of no extent of capital—of no density of population, because those circumstances would necessarily produce, from hour to hour, transactions, involving important and valuable interests. Nevertheless, I need not remind the House—for every man who hears me, or does not hear me, must be aware (many to their cost) of the fact—that such a country, so unfortunately circumstanced, is no other than that in which I now speak—ENGLAND.

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I propose to add to the power of the Judge, the right of calling the parties, if they please, before him; that is, if one is desirous of it, and the other has no objection. That they should go before him—that it should be compulsory to receive his opinion—that he should act as Judge of conciliation, and endeavour to reconcile their differences. I will explain, in one moment, why I regard this measure as desirable, and by no means impracticable, and I can assure the House, that the suggestions which I have offered, are founded strictly on practical experience. When a man goes into court, in many cases, no person is more likely to be led into error as to the probable termination of the cause, than the party interested. In almost all instances

he is more or less misled by the advice he receives. I do not say that gentlemen of the bar give opinions that an action is maintainable, when they know that it is not. God forbid! I believe that there is no set of men less apt to do so. I believe they are more apt to dissuade—to throw cold water upon law—and to give doubtful opinions and discouraging advice. I say this is the common course of the profession. I say that in ninety-nine cases out of a hundred it is so. I need hardly say, it has happened to all respectable men. I need hardly say, when it happens not, a man is scarcely respectable. But great as my feeling is for the profession—strongly prepossessed as I am of its high honour, of its great integrity—of all those qualities which entitle it to respect—and much as I hope that the exceptions are rare—yet I will not say, that there are no exceptions, even in that profession to which I have the honour to belong.

I will not take upon myself to say, that it is an impossibility to find a man at the bar, who will give an opinion to encourage, when he ought not to encourage,—still less will I take upon myself to deny, that there are always to be found men, in the other branches of the profession, who will go to that man to get his opi-

nion, and who, if they cannot get that opinion, will substitute their own for it; and tell their client, that he is sure to gain that which they ought to know, there is every probability he will lose. But this I do know—that every day we have men come before counsel, previous to going into court; a consultation is holden, and men lift up their hands, and throw up their eyes, and say, who could have advised such an action; and upon other occasions, on the part of the defendant; it is said,—“how could you go on so long with it?” The reason is neither more nor less than this—that no sooner have they read the case, than, without any further consultation together, each man comes into the Consulting-Room, with his mind made up, that they have not the shadow of a case, and the poor client is allowed to go into a court only to be ruined. This happens every day, and it happens often enough, to make one wish that it never happened at all. There are cases where the advice of the counsel is kept back from the client—where the opinion is obtained on a false statement of facts; and in all these cases, the man the most ignorant of the chance of success, or failure, is the unfortunate client—dragged into a court of justice. I do not say he is always dragged—he is sometimes coaxed, and they who ought to put him on his guard, mis-

lead and urge him on, and he finds too late, that he has been deceived and ruined. The men who do so ignorantly,—and they are not a few,—are not so culpable as they, who do so knowingly and willingly. Even my respect for that branch of the profession to which I allude—I mean solicitors and attorneys—will not allow me to deny that I have frequently seen instances, in both classes of such cases, produced more frequently by the ignorance of the attorney, than by a knowledge that his client must lose. In these cases, if you could separate the client from the attorney and the counsel, and get him aside, and tell him, that if he goes on with his suit, he must be disappointed and defeated; I am sanguine enough to expect that the ruin which often happens, would be saved to the unfortunate and ill-advised clients.

This system which I have submitted to the House, I trust respectfully, founded as it is upon experience, would produce the best results. I have hopes, and I think they are not visionary hopes, that great benefit would accrue to parties from having conversation with an individual of great knowledge and undoubted respectability. Whether, not merely that part of the subject which relates to conciliation and arbitration, by public appointed arbitrators, but the whole subject of affording the means of obtaining cheap

justice, will be approved of by the legislature, I know not—but this I know, that those who reject it are imperatively called upon by the state of the case, to point out another remedy. I care not for the name. If you reform the County Courts, it will only hamper you with certain forms, and with certain inconveniences, which had much better be got rid of, for nothing is so useless as preserving the shadow when the substance is gone—it only harrasses and vexes. But call it by what name you will, the subject of this measure is imperatively required. The exigencies of suitors will no longer allow us to withhold it from them : of this I am as much persuaded as that I am in existence, or that I am standing here, addressing this House. The people have a right to justice—they are crying out for it—they distrust the government for want of it—they distrust all plans of reform, whether legal or political reform ; and so long as they feel this want, will they continue to do so.

I have heard it said, when one lifts up his voice against things as they are, and wishes for a change, that he is raising a clamour against existing institutions, a clamour against our venerable establishments, a clamour against the law of the land ; but this is no clamour against the one, or the other. It is a clamour against



abuses. It is a clamour raised against the grievances that are felt. Mr. Burke, who was no friend to popular clamour, who was no ready hot-headed enemy of existing establishments, no undervaluer of the wisdom of our ancestors, no scoffer against institutions as they are, has said, and it deserves to be fixed in letters of gold over the hall of every assembly which calls itself a legislative assembly. “Where there is  
“abuse, there ought to be clamour, because it is  
“better to have our slumbers broken by the  
“fire-bell, than to perish in the flames in our  
“bed.” I have been told by some, who have little objection to the clamour, that I am a timid and a mock reformer; and by others, if I go on firmly and steadily, and do not allow myself to be drawn aside by either one outcry or another, and care for neither, that I am a rash and daring innovator, and that I am taking, for the subject of my reckless experiments, things which are the objects of all men’s veneration. I disregard the one as much as the other of these charges. I know the path of a reformer is not easy; honourable it may be, it may conduct to honour, but it is obstructed by the secret workings of coadjutors, and above all it is beset by the base slanders of those, who, I venture to say, some of them at least, know better than others the falsehood of the charges which they

bring against me. But I have not proceeded in this course rapidly, hastily, or rashly, for I have actually lived to see myself charged with being in name a reformer, but, in truth, in league with the abusers of Reform, in secret and corrupt league with those who batten on these abuses.

It has been asserted that I have so acted, in order to obtain high professional advancement,—I, who have refused the highest judicial functions,—I, who at the very time these slanders were propagated, was in the act of preventing this proposition from being made to me—upon political principles—upon public principle, as well as upon personal feelings. Did I regard the slander? Was I stung with such false opprobrium? or did I change my colour, or falter in my course; or did I quicken my course? Not I, indeed—

False honour charms and lying slander scares  
Whom, but the false and paltry?

It has been the lot of all men, in all ages, who have aspired at the honour of improving, instructing, or mending mankind, to have their paths beset by every persecution from adversaries,—by every misconstruction from friends;

no quarter from the one,—no charitable construction from the other ;—to be misconstrued, misrepresented, borne down,—till it was in vain to bear down any longer. But truth will survive, and calumny has its day. Sir, I say, that if this be the fate of the reformer,—if he be the object of misrepresentation,—must not an inference be drawn favourable to myself? Taunted by the enemies of reform, as being too rash ; by the friends of reform, with being too slow or too cold ; there is every reason for presuming that the course I have chosen is right. A reformer must proceed in his career,—not misled on the one hand by panegyric, nor discouraged by slander on the other. He needs no praise. I would rather say—“ Woe to him when all men speak well of him.” I shall go on in the course which I have laid down for myself ; pursuing the footsteps of those who have gone before us, who have left us their instructions and success,—their instructions to guide, and their success to cheer us.

EXTRACT FROM A SPEECH  
IN THE  
HOUSE OF COMMONS,  
ON  
COLONIAL SLAVERY,  
JULY 13th, 1830

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AFTER the question of Colonial Slavery has for so many years been familiar to the House, and I fear still more familiar to the country, I would fain hope that I may dispense with the irksome task of dragging you through its details, from their multiplicity so overwhelming, from their miserable nature so afflicting. But I am aware that in the threshold of the scene, and to scare me from entering upon it, there stands the phantom of Colonial Independence, resisting parliamentary interference, fatiguing the ear with the thrice-told tale of their ignorance who see from afar off, and pointing to the fatal issue of the American war. There needs but one steady glance to brush all such spectres away. That the Colonial Legislatures have rights—that their privileges are to be respected—that their province is not to be lightly invaded—that

the Parliament of the mother country is not without necessity to trench on their independence—no man more than myself is willing to allow. But when those local assemblies utterly neglect their first duties—when we see them from the circumstances of their situation prevented from acting—struggling in these trammels for an independent existence—exhausted in the effort to stand alone, and to move one step wholly unable—when at any rate we wait for years, and perceive that they advance not by a hair's breadth, either because they cannot, or because they dare not, or because they will not—then to contend that we should not interfere—that we should fail in *our* duty because they do not theirs—nay, that we have no right to act, because they have no power or inclination to obey us, would be not an argument, but an abomination, a gross insult to Parliament, a mockery of our privileges—for I trust that we too have some left—a shameful abandonment of our duty, and a portentous novelty in the history of Parliament, the plantations, and the country.

Talk not of the American contest, and the triumph of the colonists! Who that has read the sad history of that event (and I believe among the patriarchs of this cause whom I now

address there are some who can remember that disgrace of our councils and our arms) will say, that either the Americans triumphed or we quailed on one inch of the ground upon which the present controversy stands? Ignorance the most gross, or inattention the most heedless, can alone explain, but cannot at all justify the use of such a topic. Be it remembered, and to set at rest the point of right, I shall say no more—let it not once be forgotten that the supremacy of the mother country never for an instant was surrendered at any period of that calamitous struggle. Nay, in the whole course of it, a question of her supremacy never once was raised; the whole dispute was rigorously confined to the power of taxing. All that we gave up, as we said voluntarily, as the Americans more truly said by compulsion, was the power to tax; and by the very act which surrendered this power, we solemnly, deliberately, and unequivocally reasserted the right of the Parliament to give laws to the plantations in all other respects whatever. Thus speaks the record of history, and the record of our statute book. But were both history and the laws silent, there is a fact so plain and striking, that it would of itself be quite sufficient to establish the doctrine of parliamentary supremacy. I believe it may safely be affirmed, that on neither

side of the water was there a man more distinguished for steady devotion to the cause of colonial independence, or who made his name more renowned by firm resistance to the claims of the mother country, than Mr. Burke. He was, in truth, throughout that memorable struggle, the great leader in Parliament against the infatuated Ministry, whose councils ended in severing the empire; and far from abating in his opposition as the contest advanced, he sacrificed to those principles the favour of his constituents, and was obliged to withdraw from the representation of Bristol, which till then he had held. His speech, on that occasion, reaffirms the doctrines of American independence. But neither then nor at any other time did he ever think of denying the general legislative supremacy of Parliament; he only questioned the right of taxing the unrepresented colonies. But another fact must at once carry conviction to every mind. During the heat of the controversy, he employed himself in framing a code for the government of our sugar colonies. It was a bill to be passed into a law by the legislature of the mother country; and it has fortunately been preserved among his invaluable papers. There is no minute detail into which its provisions do not enter. The rights of the slave, the duties of the master, the obligation to

feed and clothe, the restriction of the power of coercion and punishment, all that concerns marriage and education, and religious instruction, all that relates to the hours of labour and rest, every thing is minutely provided for, with an abundance of regulation which might be well deemed excessive, were not the subject that unnatural state of things which subjects man to the dominion of his fellow creatures, and which can only be rendered tolerable by the most profuse enactment of checks and controuls. This measure of most ample interference was devised by the most illustrious champion of colonial rights, the most jealous watchman of English encroachments. With his own hand he sketched the bold outline ; with his own hand he filled up its details ; with his own hand, long after the American contest had terminated, after the controversy on Negro freedom had begun, and when his own principles touching the Slave Trade and Slavery had bent before certain West India prejudices, communicated by the party of the planters in Paris, with whom he made common cause on revolutionary politics,—even then, instead of rejecting all idea of interference with the rights of the colonial assemblies, he delivered over his plan of a slave code to Mr. Dundas, the Secretary for the Colonies, for the patronage and adoption of Mr. Pitt and



himself. I offer this fact as a striking proof that it is worse than a jest, it is an unpardonable delusion, to fancy that there ever has existed a doubt of the right of Parliament to give the colonies laws.

But I am told, that granting the right to be ours, we ought to shrink from the exercise of it when it would lead to an encroachment upon the sacred rights of property. I desire the House to mark the short and plain issue to which I am willing to bring this matter. I believe there is no man, either in or out of the profession to which I have the honour of belonging, and which, over all others, inculcates upon its children an habitual veneration for civil rights, less disposed than I am, lightly to value those rights, or rashly to inculcate a disregard of them. But that renowned profession has taught me another lesson also; it has imprinted on my mind the doctrine, which all men, the learned, and the unlearned, feel to be congenial with the human mind, and to gather strength with its growth—that law, above and prior to all the laws of human law-givers, for it is the law of God—that there are some things which cannot be holden in property, and above every thing else, that man can have no property in his fellow-

creature. But I willingly avoid those heights of moral arguments, where, if we go in search of first principles, we see eternal fogs reign, and “find no end in wandering mazes lost.” I had rather seek the humbler regions, and approach the level plain where all men see clear, where their judgments agree, and common feelings knit their hearts together; and standing on that general level, I ask, what is the right which one man claims over the person of another, as if he were a chattel, and one of the beasts which perish? Is this that kind of property which claims universal respect, and is clothed in the hearts of all with a sanctity which makes it inviolable? I resist the claim; I deny the title: as a Lawyer, I demur to the declaration of the right; as a man, I set up a law superior in point of antiquity, higher in point of authority than any which men have framed—the law of nature; and if you appeal from that, I set up the law of the Christian dispensation, which holds all men equal, and commands that you treat every man as a brother! Talk to me not of such monstrous pretensions being decreed by Acts of Parliament, and recognized by treaties! Go back a quarter of a century to a kindred contest, when a long and painful struggle ended in an immortal triumph. The self same arguments were urged in defence of the Slave

Trade. Its vindication was rested upon the rights of property, as established by Laws and by Treaties; the right to trade in men was held to be as clear then, as the right to hold men in property is held to be clear now. For twenty-five years, I am ashamed to repeat for twenty-five years, to the lasting disgrace of the Parliament, the African Slave traffic was thus defended; and that which it was then maintained every one had a right to do, is now denounced by our laws as piracy, and whoso doeth it shall be hanged as a felon.

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There cannot be a more appalling picture presented to the reflecting mind, than that of a people decreasing in numbers. To him who can look beyond the abstract numbers, whose eye is not confined to the mere tables and returns of population, but ranges over the miseries of which such a diminution is the infallible symptom; it offers a view of all the forms of wretchedness, suffering in every shape, privations in unlimited measure—whatever is most contrary to the nature of human beings, most alien to their habits, most averse to their happiness and comfort—all beginning in slavery, the state most unnatural to man; consummated through various channels in his degradation, and

leading to one common end, the grave. Show me but the simple fact, that the people in any country are regularly decreasing, so as in half a century to be extinct; and I want no other evidence that their lot is that of the bitterest wretchedness; nor will any other facts convince me, that their general condition can be favourable or mild.

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I cannot here withhold from the House the testimony of the protector of slaves, to the happiness of their condition. "I cannot," says that judicious officer, "refrain from remarking on the contented appearance of the Negroes; and, from the opportunities of judging which I have, I think that generally they have every reason to be so." I would not have this protector placed in the condition of the very happiest of this contented tribe, whose numbers are hourly lessening, and whose lives are spent in committing crime and in receiving punishments. No, not for a day would I punish his error in judgment, by condemning him to taste the comforts which he describes, as they are enjoyed by the very luckiest of those placed under his protection. But such testimony is not peculiar to this officer. Long before his protectorate commenced, before he even came

into this world of slavery and bliss, of bondage and contentment, the like opinion had been pronounced in favour of West Indian felicity.

I hold in my hand the evidence of Lord Rodney, who swore before the Privy Council that he never saw an instance of cruel treatment;—that in all the islands, “and,” said his Lordship, “I know them all,” the Negroes were better off in cloathing, lodging, and food, than the poor at home, and were never in any case at all overworked. Admiral Barrington, rising in ardour of expression as he advanced in knowledge, declares that he has often wished himself in the condition of the slaves. Neither would I take the gallant admiral at his rash word, sanctioned though it be by an oath. I would not punish his temerity so severely as to consign him to a station, compared with which he would in four and twenty hours have become reconciled to the hardest fare on the most crazy bark that ever rocked on the most perilous wave; or even to the lot which our English seamen are the least inured to—the most disastrous combat that ever lowered his flag in discomfiture and disgrace. But these officers confined not their testimony to the condition of slavery; they cast its panoply around the Slave Trade itself. They were just as liberal in behalf of the Guinea-

man, as of those whom his toils were destined to enrich. They gave just as Arcadian a picture of the slaver's deck and hold, as of the enviable fields whither she was fraught with a cargo of happy creatures, designed by their felicitous destiny to become what are called the cultivators of those romantic regions. "The slaves on board are comfortably lodged," says one gallant officer, "in rooms fitted up for them." "They are amused with instruments of music: when tired of music, they then go to games of chance." Let the inhabitants or the frequenters of our club houses hear this and envy—those "famous wits," to whom St. James's purlieus are "native or hospitable:" let them cast a longing look on the superior felicity of their sable brethren on the middle passage. They toil not, neither do they spin, yet have they found for them all earthly indulgencies: food and raiment for nothing; music to charm the sense; and when sated with such enjoyment, the mind seeks a change, games of chance are kindly provided by boon traffic to stimulate the lazy appetite. "The slaves," adds the admiral, "are indulged in all their little humours." Whether one of these caprices might be to have themselves tied up from time to time, and lacerated with a scourge, he has omitted to mention. "He had frequently," he says, "seen them

and as happy as any of the crew, it being the interest of the officers and men to make them so." But it is Admiral Evans who puts the finishing stroke to this fairy picture. "The arrival of a Guineaman," he says, "is known in the West Indies by the dancing and singing of the Negroes on board." It is thus that these cargoes of merry happy creatures, torn from their families, their native fields, and their cottages, celebrate their reaching the land of promise, and that their coming is distinguished from the dismal landing of free English seamen, out of West India traders; or other receptacles of cruelty and wretchedness!

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There is a country in which the Slave Trade still flourishes in most portentous vigour, although denounced by the law, and visited with infamous punishment:—the dominions of the Monarch who calls himself "Most Christian," and refuses the only measure that can put such wholesale iniquity down. There it must thrive, as long as groundless national jealousies prevent the right of search from being mutually conceded. Let us hope that so foul a stain on the character of so great a nation will soon be wiped away; that the people who now take the lead of all others in the march of liberty, will

cast far from their camp this unclean thing, by all lovers of freedom most abhorred. I have heard with amazement some thoughtless men say, that the French cannot enjoy liberty, because they are unused to it. I protest before God, I could point to no nation more worthy of freedom, or which knew better how to use it, how to gain it, how to defend it. I turn with a grateful heart to contemplate the glorious spectacle now exhibited in France, of patriotism, of undaunted devotion to liberty, of firm, yet temperate resistance to arbitrary power. It is animating to every beholder; it is encouraging to all freemen in every part of the world. I earnestly hope that it may not be lost on the Bourbon Monarch and his Councillors; for the sake of France and of England, for the sake of peace; for the sake of the Bourbon Princes themselves, I pray that they may be wise in time, and yield to the wish, the determination of their people. I pray that bending before the coming breeze, the gathering storm may not sweep them away! But of one thing I would warn that devoted race; let them not flatter themselves that by trampling upon liberty in France, they can escape either the abhorrence of man, or the Divine wrath for the execrable traffic in Slaves, carried on under their flag, and flourishing under their sway in America.



I will tell their ghostly Councillors, in the language of a book with which they *ought* to be familiar,—“ Behold, obedience is better than sacrifice, and to hearken than the fat of rams.” To what should they lend an ear? To the commands of a God who loves mercy, and will punish injustice, and abhors blood, and will surely avenge it upon their heads; nothing the less because their patronage of slavery, in distant climes, is matched by their hatred of liberty at home.

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I trust that at length the time is come, when Parliament will no longer bear to be told, that Slave-owners are the best lawgivers on Slavery; no longer suffer our voice to roll across the Atlantic in empty warnings, and fruitless orders. Tell me not of rights—talk not of the property of the planter in his Slaves. I deny the right—I acknowledge not the property. The principles, the feelings of our common nature rise in rebellion against it. Be the appeal made to the understanding or to the heart, the sentence is the same that rejects it. In vain you tell me of laws that sanction such a claim! There is a law above all the enactments of human codes—the same throughout the world, the same in all times—such as it was before the

daring genius of Columbus pierced the night of ages, and opened to one world the sources of power, wealth, and knowledge ; to another, all unutterable woes ;—such it is at this day: it is the law written by the finger of God on the heart of man; and by that law, unchangeable and eternal, while men despise fraud, and loathe rapine, and abhor blood, they shall reject with indignation the wild and guilty fantasy, that man can hold property in man! In vain you appeal to treaties, to covenants between nations. The covenants of the Almighty, whether the old covenant or the new, denounce such unholy pretensions. To those laws did they of hold refer, who maintained the African Trade. Such treaties did they cite, and not untruly; for by one shameful compact you bartered the glories of Blenheim for the traffic in blood. Yet, in despite of law, and of treaty, that infernal traffic is now destroyed, and its votaries put to death like other pirates. How came this change to pass? Not, assuredly, by Parliament leading the way; but the country at length awoke; the indignation of the people was kindled; it descended in thunder, and smote the traffic, and scattered its guilty profits to the winds. Now, then, let the planters beware—let their Assemblies beware—let the Government at home beware—let the Parliament beware! The

same country is once more awake—awake to the condition of Negro Slavery; the same indignation kindles in the bosom of the same people; the same cloud is gathering that annihilated the Slave Trade; and if it shall descend again, they on whom its crash may fall, will not be destroyed before I have warned them; but I pray that their destruction may turn away from us the more terrible judgments of God!

EXTRACT FROM A SPEECH  
IN THE  
HOUSE OF LORDS,  
ON  
THE INTRODUCTION  
OF  
THE LOCAL COURT BILL,  
DECEMBER 2d, 1830.

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I DEEM it a duty of the highest importance, that the Government should take care that the laws be loved and respected. I know, too, there are times and seasons when a change, however slight, in those laws, constitutes no part of the duty of the Government. Such I deem seasons of foreign war, periods of domestic distress and commotion, casting a cloud over the prospects of the country, and, above all, times in which intestine commotions concentrate all public care on the means of preserving tranquillity. But when tranquillity prevails abroad, as, thank God, it does now; and when, and I thank Heaven, I can say so, there is every reason to pronounce the disturbances which dis-

grace some parts of this country, but as a passing cloud, over the fair face of our general prosperity, and when men's minds have been, as they have of late years, so influenced, and directed, and echoed by the great organs of the public voice, as to be lifted up with one loud and unanimous acclaim for law reform; when all these so unequivocally conspire towards the one object, it appears to me, much revolving on these matters, that this is the appropriate time, and this the appointed season for us all, my Lords, to join in undertaking the great work. And if all times of general tranquillity are fitting for such an undertaking as that I now propose to you, and if this be the appropriate time, and this the appointed season; I say that this week, nay, that this very day is more especially so. Unhappily, owing to the temper which the disturbances that disfigure certain parts of the country too clearly evince, it has been found necessary, by His Majesty's Ministers, to provide extraordinary measures with a view to have the laws obeyed. Within a few days from the time I am now addressing your Lordships, the sword of justice shall be unsheathed, to smite, if it be necessary, with a firm and vigorous hand, the rebel against the law. My Lords, it is the duty, the great office, the high function of the Government, it is the King's most sacred duty,

it is all our deepest interests, that the law should be obeyed. It is the no less sacred, and high, and paramountly important duty of your Lordships, as legislators, to take care that the laws be loved; and when the Government resolve, on their part, in their executive capacity, with a determination from which no threat shall make them swerve, no supineness can make them slumber, to faithfully perform their duty to themselves, to their King, and, if possible, still more faithfully to the King's people, by enforcing the laws, as the greatest mercy to the deluded offenders against them, let me pray your Lordships on the other hand, in your capacity as lawgivers, in this most fitting moment, on this most graceful occasion, to take care, by making the laws better, that you make them the more loved. I counsel you to leave no means unfitting your high station, to let no pride of place prevent your earnestly attempting this great work. And let neither your station nor pride be offended when I tell you, that a feeling has gone abroad of disrespect towards both Houses of Parliament, which, fortunately, both Houses have it yet in their power to allay. The ties which should bind the several orders in the State to each other, particularly the people to their Parliament, should be, as they have been often compared, like those of domestic union;

and, if unhappily, to continue the simile, there should arise domestic jars between the two parties, possessing so deep and intimate a common interest, if one party should be temporarily alienated, I would not counsel you to practise unworthy artifices to remove that alienation, far less would I counsel you to condescend to meretricious blandishments, to allure those who stood aloof from you. No, I should say, “ maintain “ your own rights, preserve your own dignity, “ but take care and do your duty to yourselves “ and the alienated party, by improving their “ condition, and removing all just grounds of “ complaint.” Trust me, my Lords, the road to duty, the door of reconciliation, is open to you ; and it will be exclusively your own faults if again the language of disrespect is addressed to you from any portion of the King’s subjects. What, I repeat to you, the people want, and love, is cheap justice. What they hate and rail against is, expensive, and tardy, and uncertain litigation. And can there be a duty at once more pleasing and more befitting your high stations, one, too, the exercise of which is just now of such all-importance to the integrity of the institutions of the country in Church and State, than when you, on the one hand, show the people that you are firmly resolved to resist lawless aggression ; that, on the other, you are

willing listeners to their complaints, readily sympathize with their wants; and that by amending the laws, and by so doing the better preserve them, and make them the better worth preserving, you satisfy the people with respect to the institutions they are living under, and thus conduce to render them more worthy of their love and confidence. By doing this, and that too, this night, this moment, you will do more towards allaying the ferment of the public mind, than all that the declamation of the greatest orator could devise, or the sagest lawgiver frame, or the most conciliatory Government adopt, more towards preserving unimpaired all the institutions of the country to your latest posterity, more towards connecting your high names with after ages by the noblest tie—that of the rights and liberties and happiness of a great people.



EXTRACT FROM A SPEECH  
AT THE  
ROYAL ACADEMY DINNER,  
APRIL 30th, 1831.

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OF the Fine Arts what has not been said,—what panegyrics not pronounced, hundreds, almost thousands of years ago, by the most eloquent of tongues! That they are the ornament of prosperous fortune, and the solace of adverse, give a zest to our daily toil, and watch with us through the sleepless night, enliven the solitude of the country, and tranquillize the bustle and turmoil of the town—all this is true, but it is not the whole truth. All this they do, and much more. The Fine Arts are great improvers of mankind; they are living sources of refinement—the offspring, indeed, of civilization; but like her of Greece, whose piety they have so often commemorated, nourishing the parent from whom their existence was derived,—softening and humanizing the characters of men—assuaging the fierceness of the wilder passions; substituting calm and harmless enjoyment for more perilous excitement—maintaining the in-

nocent intercourse of nations, and affording one more pledge of peace, their great patroness and protectress, as she is, of all that is most precious and most excellent among men. It becomes us all, then, most diligently to foster them. It is the duty of the Government—it is the interest of the country. No station is so exalted, no fortune so splendid, as not to derive lustre from bestowing such patronage; no lot so obscure as not to participate in the benefits they diffuse.

EXTRACTS FROM A SPEECH

IN THE

HOUSE OF LORDS,

IN SUPPORT OF

THE SECOND READING

OF

THE REFORM BILL.

OCTOBER 7th, 1831.

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A NOBLE Lord, a friend of mine, whose honesty and frankness stamps all he says with still greater value than it derives from mere talent,\* would have you believe that all the Petitions, under which your table now groans, are, indeed, for Reform, but not for this Bill, which he actually says the people dislike. Now is not this a droll way for the people to act, if we are to take my Noble Friend's statement as true? First of all, it is an odd time they have taken to petition for Reform, if they do not like this Bill. I should say, that if they petition for Reform, whilst this particular measure is passing through the House, it is a proof that

\* Lord Wharncliffe.

the Bill contains the Reform they want. Surely, when I see the good men of this country—the intelligent and industrious classes of the community—now coming forward, not by thousands but by hundreds of thousands, I can infer nothing from their conduct, but that this is the Bill, and the only Bill, for which they petition? But if they really want some Reform other than the Bill proposes, is it not still more unaccountable that they should one and all petition, not for that other Reform, but for this very measure? The proposition of my Noble Friend is, that they love Reform in general, but hate this particular plan; and the proof of it is this, that their Petitions all pray earnestly for this particular plan, and say not a word of general Reform. Highly as I prize the integrity of my Noble Friend,—much as I may admire his good sense on other occasions,—I must say, that on this occasion I descry not his better judgment, and I estimate how far he is a safe guide either as a witness to facts, or as a judge of measures, by his success in the present instance; in either capacity, I cannot hesitate in recommending your Lordships not to follow him. As a witness to facts, never was failure more complete. The Bill, said he, has no friends anywhere; and he mentioned Bond-street as one of his walks, where he could not enter a shop without find-

ing its enemies abound. No sooner had Bond-street escaped his lips than up comes a Petition to your Lordships from nearly all its shopkeepers, affirming that their sentiments have been misrepresented, for they are all champions of the Bill. My Noble Friend then says, "Oh, "I did not mean the shopkeepers of Bond-street in particular; I might have said any "other street, as St. James's, equally." No sooner does that unfortunate declaration get abroad, than the shopkeepers of St. James's-street are up in arms, and forth comes a Petition similar to that from Bond-street. My Noble Friend is descried moving through Regent-street, and away scamper all the inhabitants, fancying that he is in quest of Anti-Reformers—sign a requisition to the churchwardens—and the householders, one and all, declare themselves friendly to the Bill. Whither shall he go—what street shall he enter—in what alley shall he take refuge—since the inhabitants of every street, and lane, and alley, feel it necessary, in self-defence, to become signers and petitioners as soon as he makes his appearance among them? If, harrassed by Reformers on land, my Noble Friend goes down to the water, the thousand Reformers greet him, whose Petition (Lambeth) I this day presented to your Lordships. If he were to get into a hackney-

coach, the very coachmen and their attendants would feel it their duty to assemble and petition. Wherever there is a street, an alley, a passage, nay, a river, a wherry, or a hackney-coach, these, because inhabited, become forbidden and *tabooed* to my Noble Friend. I may meet him, not on "the accustomed hill," for Hay-hill, though short, has some houses on its slope, but on the south side of Berkeley-square, wandering "remote, unfriended, melancholy, slow,"—for there he finds a street without a single inhabitant, and, therefore, without a single friend of the Bill. If, in despair, he shall flee from the town to seek the solitude of the country, still will he be pursued by cries of "Petition, petition! The Bill, the Bill!" His flight will be through villages placarded with "The Bill"—his repose at inns holden by landlords, who will present him with the Bill; he will be served by Reformers in the guise of waiters—pay tribute at gates where Petitions lay for signing—and plunge into his own domains to be overwhelmed with the Sheffield Petition, signed by 10,400 friends of the Bill.

"Me miserable! whither shall I fly

"Infinite wrath and infinite despair?

"Which way I fly Reform—myself Reform!"

for this is the most serious part of the whole,—

my Noble Friend is himself, after all, a Reformer. I mention this to show that he is not more a safe guide on matters of opinion than on matters of fact. He is a Reformer—he is not even a bit-by-bit Reformer—not even a gradual Reformer—but that which at any other time than the present would be called a wholesale and even a radical Reformer. He deems that no shadowy unsubstantial Reform—that nothing but an effectual remedy of acknowledged abuses, will satisfy the people of England and Scotland ; and this is a fact to which I entreat the earnest and unremitting attention of every man who wishes to know what guides are safe to follow on this subject. Many now follow men who say that Reform is necessary, and yet object to this Bill as being too large ; that is, too efficient. This may be very incorrect ; but it is worse ; it is mixed up with a gross delusion, which can never deceive the country ; for I will now say, once for all, that every one argument which has been urged by those leaders is as good against moderate Reform as it is against this Bill. Not a single reason they give, not a topic they handle, not an illustration they resort to, not a figure of speech they use, not even a flower they fling about, that does not prove or illustrate the position of “ *No Reform.*” All their speeches, from beginning to end, are rail-

ing against the smallest as against the greatest change, and yet all the while they call themselves Reformers! Are they then safe guides for any man who is prepared to allow any Reform, however moderate, of any abuse, however glaring?

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I am challenged to prove that the present system, as regards the elective franchise, is not the ancient Parliamentary Constitution of the country—upon pain, says my Noble and Learned Friend,\* of judgment going against me if I remain silent. My Lords, I will not keep silence, neither will I answer in my own person, but I will refer you to a higher authority, the highest known in the law, and in its best days, when the greatest lawyers were the greatest patriots. Here is the memorable report of the Committee of the Commons, in 1623-4, of which Committee Mr. Sergeant Glanville was the Chairman, of which Report he was the author. Among its Members were the most celebrated names in the law—Coke, and Selden, and Finch, and Noy, afterwards Attorney-General, and of known monarchical principles. The first Resolution is this:—

‘ There being no certain custom, nor pre-

\* Lord Wynford



“ scription, who should be electors, and who  
“ not, we must have recourse to common right,  
“ which, to this purpose, was held to be, that  
“ more than the freeholders only ought to have  
“ voices in the election ; namely, all men, inha-  
“ bitants, householders, rasiants within the  
“ borough.”

What then becomes of the doctrine that our Bill is a mere innovation—that by the old law of England, inhabitant householders had no right to vote—that owners of burgage tenements, and freemen of corporations, have in all times exclusively had the franchise? Burgage tenants, it is true, of old had the right, but in the way I have already described—not as now, the nominal and fictitious holders for an hour merely for election purposes, but the owners of each—the real and actual proprietors of the tenement. Freemen never had it at all, till they usurped upon the inhabitants, and thrust them out. But every householder voted in the towns without regard to value, as before the 8th of Henry VI. every freeholder voted without regard to value in the counties—not merely £10. householders, as we propose to restrict the right, but the holder of a house worth a shilling, as much as he whose house was worth a thousand pounds. But I have been appealed to ; and I will take

upon me to affirm, that if the Crown were to issue a writ to the Sheriff, commanding him to send his precept to Birmingham or Manchester, requiring those towns to send burgesses to Parliament, the votes of *all* inhabitant householders must needs be taken, according to the exigency of the writ and precept—the right of voting at common law, and independent of any usurpation upon it, belonging to every resident householder. Are, then, the King's Ministers innovators—revolutionists—wild projectors—idle dreamers of dreams and feigners of fancies—when they restore the ancient common law right—but not in its ancient common law extent, for they limit, fix, and contract it? They add a qualification of £10. to restrain it, as our forefathers, in the fifteenth century, restrained the county franchise by the freehold qualification.

But then we hear much against the qualification adopted—that is, the particular sum fixed upon—and the Noble Earl\* thinks it will only give us a set of constituents busied in gaining their daily bread, and having no time to study, and instruct themselves on State affairs. My Noble Friend,† too, who lives near Birmingham, and may therefore be supposed to know his own

\* The Earl of Harrowby.

† Earl of Dudley.

neighbours better than we can, sneers at the statesmen of Birmingham and at the philosophers of Manchester. He will live—I tell him, he will live to learn a lesson of practical wisdom from the statesmen of Birmingham, and a lesson of forbearance from the philosophers of Manchester. My Noble Friend was ill-advised, when he thought of displaying his talent for sarcasm upon 120,000 people in the one place, and 180,000 in the other. He did little, by such exhibitions, towards gaining a stock of credit for the order he belongs to—little towards conciliating for the aristocracy which he adorns, by pointing his little epigrams against such mighty masses of the people. Instead of meeting their exemplary moderation, their respectful demeanour, their affectionate attachment, their humble confidence, evinced in every one of the petitions, wherewithal they have in myriads approached the House, with a return of kindness—of courtesy—even of common civility:—he has thought it becoming and discreet to draw himself up in the pride of hexameter and pentameter verse,—skill in classic authors,—the knack of turning fine sentences,—and to look down with derision upon the knowledge of his unrepresented fellow-countrymen in the weightier matters of practical legislation. For myself, I too know where they are defective; I have no desire ever to hear

them read a Latin line, or hit off in the mother tongue any epigram, whether in prose or in numerous verse. In these qualities they and I freely yield the palm to others. I, as their representative, yield it.—I once stood as such elsewhere, because they had none of their own; and though a Noble Earl\* thinks they suffer nothing by the want, I can tell him they did severely suffer in the greatest mercantile question of the day, the Orders in Council, when they were fain to have a professional advocate for their representative, and were only thus allowed to make known their complaints to Parliament. Again representing them here, for them I bow to my Noble Friend's immeasurable superiority in all things, classical or critical. In book lore—in purity of diction—in correct prosody—even in elegance of personal demeanour, I and they in his presence hide, as well we may, our diminished heads. But to say that I will take my Noble Friend's judgment on any grave practical subject,—on any thing touching the great interests of our commercial country,—or any of those manly questions which engage the statesman, the philosopher in practice :—to say that I could ever dream of putting the Noble Earl's opinions, aye, or his knowledge, in any comparison with the bold, rational, judicious, reflecting, natural, and

\* The Earl of Harrowby.

because natural the trustworthy opinions of those honest men, who always give their strong natural sense of fair play, having no affectations to warp their judgment—to dream of any such comparison as this, would be, on my part, a flattery, far too gross for any courtesy—or a blindness which no habits of friendship could excuse !

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If there is the mob, there is the people also. I speak now of the middle classes—of those hundreds of thousands of respectable persons—the most numerous, and by far the most wealthy order in the community ; for if all your Lordships' castles, manors, rights of warren, and rights of chase, with all your broad acres, were brought to the hammer, and sold at fifty years purchase, the price would fly up and kick the beam, when counterpoised by the vast and solid riches of those middle classes, who are also the genuine depositaries of sober, rational, intelligent, and honest English feeling. Unable though they be to round a period, or point an epigram, they are solid, right judging men, and, above all, not given to change. If they have a fault, it is that error on the right side, a suspicion of state quacks—a dogged love of existing institutions—a perfect contempt of all political nostrums. They will neither be led astray by

false reasoning, nor deluded by impudent flattery; but so neither will they be scared by classical quotations, or brow-beaten by fine sentences; and as for an epigram, they care as little for it as they do for a cannon ball. Grave—intelligent—rational—fond of thinking for themselves—they consider a subject long before they make up their minds on it; and the opinions they are thus slow to form, they are not swift to abandon.

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They who are constantly taunting us with subverting the system of the representation, and substituting a parliamentary constitution unknown in earlier times, must be told that we are making no change—that we are not pulling down, but building up—or, at the utmost, adapting the representation to the altered state of the community. The system which was hardly fitted for the fourteenth century, cannot surely be adapted to the nineteenth. The innovations of time, of which our detractors take no account, are reckoned upon by all sound statesmen; and in referring to them, my Noble Friend\* has only followed in the footsteps of the most illustrious of philosophers. “Stick to your ancient parliamentary system,” it is said; “make no alteration; keep it exactly

\* The Earl of Radnor.

“ such as it was in the time of Harry the Third, “ when the two Houses first sat in separate “ chambers, and such as it has to this day continued!” This is the ignorant cry; this the very shibboleth of the party. But I have joined an issue with our antagonists upon the fact; and I have given the evidence of Selden, of Glanville, of Coke, of Noy, and of Prynne, proving to demonstration that the original right of voting has been subjected to great and hurtful changes,—that the exclusive franchise of freemen is an usurpation upon householders,—and that our measure is a restoration of the rights thus usurped upon. I have shown that the Ministers are only occupied in the duty of repairing what is decayed, not in the work of destruction, or of violent change. Your Lordships were recently assembled at the great solemnity of the Coronation. Do you call to mind the language of the Primate, and in which the Monarch swore, when the Sword of kingly estate was delivered into his hands? “ Restore “ the things that are gone into decay; maintain “ that which is restored; purify and reform “ what is amiss; confirm that which is in good “ order!” His Sacred Majesty well remembers his solemn vow, to restore the constitution, and to reform the abuses time has introduced; and I, too, feel the duty imposed on me, of

keeping fresh in the recollection of the Prince, whom it is my pride and my boast to serve, the parts of our system which fall within the scope of his vow. But if he has sworn to restore the decayed, so has he also sworn to maintain that which is restored, and to confirm that which wants no repairing; and what sacrifice soever may be required to maintain and to confirm, that sacrifice I am ready to make, opposing myself, with my Sovereign, to the surge that may dash over me, and saying to it, "Hitherto shalt thou come; here shall thy waves be staid." For while that Sovereign tells the enemies of all change, "I have sworn to restore!" so will he tell them who look for change only, "I have also sworn to maintain!"

"Stand by the whole of the old constitution!" is the cry of our enemies. I have disposed of the issue of fact, and shown that what we attack is any thing but the old constitution. But suppose, for argument's sake, the question had been decided against us—that Selden, Coke, Noy, Glanville, Prynne, were all wrong—that their doctrine and mine was a mere illusion, and rotten boroughs the ancient order of things—that it was a fundamental principle of the old constitution to have Members without constituents, boroughs without Members, and a repre-



sentative Parliament without electors. Suppose this to be the nature of the old and much admired and more bepraised Government of England. All this I will assume for the sake of the argument, and I solicit the attention of the Noble Lords who maintain that argument, while I show them its utter absurdity. Since the early times of which they speak, has there been no change in the very nature of a seat in Parliament? Is there no difference between our days and those when the electors eschewed the right of voting, and a seat in Parliament, as well as the elective franchise, was esteemed a burthen? Will the same principles apply to that age and to others, when all the people of the three kingdoms are more eager for the power of voting than for any other earthly possession; and the chance of sitting in the House of Commons is become the object of all men's wishes? Even as late as the union of the crowns, we have instances of Informations filed in the courts of law to compel Parliament men to attend their duty, or punish them for the neglect—so ill was privilege then understood. But somewhat earlier, we find boroughs petitioning to be relieved from the expense of sending Members, and Members supported by their constituents as long as they continued their attendance. Is it not clear, that the Parliamentary law applicable

to that state of things cannot be applied to the present circumstances, without in some respects making a violent revolution? But so it is in the progress of all those changes which time is perpetually working in the condition of human affairs. They are really the authors of change, who resist the alterations which are required to adjust the system, and adapt it to new circumstances;—who forcibly arrest the progress of one portion amidst the general advancement. Take, as an illustration, the state of our jurisprudence. The old law ordained that a debtor's property should be taken in execution. But in early times there were no public funds, no paper securities, no accounts at Bankers; land and goods formed the property of all; and those were allowed to be taken in satisfaction of debts. The law, therefore, which only said let land and goods be taken, excluded the recourse against stock and credits, although it plainly meant that all the property should be liable, and would clearly have attached stock and credits, had they then been known. But when nine-tenths of the property of our richest men consist of stock and credits, to exempt these under pretence of standing by the old law, is manifestly altering the substance for the sake of adhering to the letter; and substituting for the old law, that all the debtor's property should

be liable, a new and totally different law, that a small part only of his property should be liable. Yet in no part of our system has there been a greater change than in the estimated value attached to the franchise, and to a seat in Parliament, from the times when one class of the community anxiously shunned the cost of electing, and another as cautiously avoided being returned, to those when both classes are alike anxious to obtain these privileges. Then, can any reasonable man argue, that the same law should be applied to two states of things so diametrically opposite? Thus much I thought fit to say, in order to guard your Lordships against a favourite topic, one sedulously urged by the adversaries of Reform, who lead men astray by constantly harping upon the string of change, innovation, and revolution.

But it is said, and this is a still more favourite argument, the system works well. How does it work well? Has it any pretensions to the character of working well? What say you to a town of 5 or 6000 inhabitants, not one of whom has any more to do with the choice of its representatives than any of your Lordships sitting round that table—indeed, a great deal less—for I see my Noble Friend\* is there? It works well,

\* The Duke of Devonshire.

does it? How works well? It would work well for the Noble Duke, if he chose to carry his votes to market! Higher rank, indeed, he could not purchase, than he has; but he has many connexions, and he might gain a title for every one that bears his name. But he has always acted in a manner far more worthy of his own high character, and of the illustrious race of patriots from whom he descends, the founders of our liberties, and of the throne which our Sovereign's exalted house fills; and his family have deemed that name a more precious inheritance than any title for which it could be exchanged. But let us see how the system works for the borough itself, and its thousands of honest, industrious inhabitants. My Lords, I once had the fortune to represent it for a few weeks; at the time when I received the highest honour of my life, the pride and exultation of which can never be eradicated from my mind but by death, nor in the least degree allayed by any lapse of time—the most splendid distinction which any subjects can confer upon a fellow citizen—to be freely elected for Yorkshire, upon public grounds, and being unconnected with the county. From having been at the borough the day of the election, I can give your Lordships some idea how well the system works there. You may be returned

for the place, but it is at your peril that you show yourself among the inhabitants. There is a sort of polling; that is, five or six of my Noble Friend's tenants ride over from another part of the country—receive their burgage qualifications—vote, as the enemies of the Bill call it, “in right of property,” that is of the Duke's property—render up their title deeds—dine, and return home before night. Being detained in court at York longer than I had expected on the day of this elective proceeding, I arrived too late for the chairing, and therefore did not assist at that awful solemnity. Seeing a gentleman with a black patch, somewhere about the size of a Sergeant's coif, I expressed my regret at his apparent ailment; he said, “It is for a blow I had the honour to receive in representing you at the ceremony.” Certainly no constituent ever owed more to his representative than I to mine: but the blow was severe, and might well have proved fatal. I understand this is the common lot of the Members, as my Noble Friend,\* who once sat for the place, I believe, knows; though there is some variety, as he is aware, in the mode of proceeding, the convenient neighbourhood of a river with a rocky channel sometimes suggesting operations of another kind. I am very far, of course, from

\* The Earl of Tankerville.

approving such marks of public indignation ; but I am equally far from wondering that it should seek a vent ; for I confess that if the thousands of persons whom the well working of the present system insults with the farce of the Knaresborough election (and whom the Bill restores to their rights) were to bear so cruel a mockery with patience, I should deem them degraded indeed.

It works well, does it? For whom? For the Constitution? No such thing. For Borough proprietors it works well, who can sell seats, or traffic in influence, and pocket the gains. Upon the constitution it is the foulest stain, and eats into its very core.

It works well? For the people of England? For the people, of whom the many excluded electors are parcel, and for whom alone the few actual electors ought to exercise their franchise as a trust? No such thing. As long as a Member of Parliament really represents any body of his countrymen, be they freeholders, or copyholders, or leaseholders—as long as he represents the householders in any considerable town—and is in either way deputed to watch over the interests of a portion of the community, and is always answerable to those who delegate

him—so long has he a participation in the interests of the whole State, whereof his constituents form a portion; so long may he justly act as representing the whole community, having, with his particular electors, only a general coincidence of views upon national questions, and a rigorous coincidence where their special interests are concerned. But if he is delegated by a single man, and not by a county or town, he does not represent the people of England; he is a jobber sent to Parliament, to do his own or his patron's work. But then we are told, and with singular exultation, how many great men have found their way into the House of Commons by this channel. My Lords, are we, because the only road to a place is unclean, not to travel it? If I cannot get into Parliament, where I may render the State good service, by any other means, I will go that way, defiling myself as little as I can, either by the filth of the passage, or the indifferent company I may travel with. I won't bribe; I won't job, to get in; but if it be the only path open, I will use it for the public good. But those who indulge in this argument about great men securing seats, do not, I remark, take any account of the far greater numbers of very little men who thus find their way into Parliament, to do all manner of public mischief. A few are, no doubt, inde-

pendent; but many are as docile, as disciplined in the evolutions of debate, as any troops the Noble Duke\* had at Waterloo. One Borough proprietor is well remembered, who would display his forces, command them in person, carry them over from one flank to the other, or draw them off altogether, and send them to take the field against the larks at Dunstable, that he might testify his displeasure. When conflicting bodies are pretty nearly matched, the evolutions of such a corps decide the fate of the day. The Noble Duke remembers how doubtful even the event of Waterloo might have been, had Grouchy come up in time. Accordingly, the fortunate leader of that Parliamentary force raised himself to an Earldom and two Lord Lieutenancies, and obtained titles and blue ribands for others of his family, who now fill most respectable stations in this House.

The system, we are told, works well—because, notwithstanding the manner of its election, the House of Commons sometimes concurs immediately in opinion with the people; and, in the long run, is seldom found to counteract it. Yet sometimes, and on several of the most momentous questions, the run has, indeed, been a very long one. The Slave Trade continued to

\* The Duke of Wellington.



be the signal disgrace of the country, the unutterable opprobrium of the English name, for many years after it had been denounced in Parliament, and condemned by the people all in one voice. Think you, this foul stain could have so long survived, in a Reformed Parliament, the prodigious eloquence of my venerable friend, Mr. Wilberforce, and the unanimous reprobation of the country? The American war might have been commenced, and even for a year or two persevered in ; for though most unnatural, it was, at first, not unpopular. But could it have lasted beyond 1778, had the voice of the people been heard in their own House? The French war, which in those days I used to think a far more natural contest, having, in my youth, leant to the alarmist party, might possibly have continued some years. But if the representation of the country had been reformed, there can be no reason to doubt that the sound views of the Noble Earl,\* and the immortal eloquence of my Right Hon. Friend,† whose great spirit, now freed from the coil of this world, may be permitted to look down complacent upon the near accomplishment of his patriotic desires, would have been very differently listened to in a Parliament, unbiassed by selfish interests, and of one thing I am as certain as that I stand here—

\* Earl Grey.

† Mr. Fox.

that ruinous warfare never could have lasted a day beyond the arrival of Buonaparte's letter in 1800.

But still, it is said, public opinion finds its way more speedily into Parliament upon great and interesting emergencies. How does it so? By a mode contrary to the whole principles of representative Government,—by sudden, direct, and dangerous impulses. The fundamental principle of our Constitution, the great political discovery of modern times—that, indeed, which enables a State to combine extent with liberty,—the system of representation, consists altogether in the perfect delegation by the people, of their rights, and the care of their interests, to those who are to deliberate and to act for them. It is not a delegation which shall make the representative a mere organ of the passing will, or momentary opinion, of his constituents.—I am aware, my Lords, that in pursuing this important topic, I may lay myself open to uncandid inference, touching the present state of the country; but I feel sure no such advantage will be taken, for my whole argument upon the national enthusiasm of Reform rests upon the known fact, that it is the growth of half a century, and not of a few months; and, according to the soundest views of representative legisla-

tion there ought to be a *general* coincidence between the conduct of the delegate, and the sentiments of the electors. Now, when the public voice, for want of a regular and legitimate organ, makes itself, from time to time, heard within the walls of Parliament, it is by a direct interposition of the people, not in the way of a delegated trust, to make the laws—and every such occasion presents, in truth, an instance where the defects of our elective system introduced a recurrence to the old and barbarous schemes of Government, known in the tribes and centuries of Rome, or the assemblies of Attica. It is a poor compensation for the faults of a system, which suffers a cruel grievance to exist, or a ruinous war to last twenty or thirty years, after the public opinion has condemned it, that some occasions arise when the excess of the abuse brings about a violent remedy, or some revolutionary shock, threatening the destruction of the whole.

But it works well! Then why does the table groan with the Petitions against it, of all that people, for whose interests there is any use in it working at all? Why did the country, at the last election, without exception, wherever they had the franchise, return members commissioned to complain of it, and amend it? Why were its

own produce, the men chosen under it, found voting against it by unexampled majorities? Of eighty-two English county members, seventy-six have pronounced sentence upon it, and they are joined by all the representatives of cities and of great towns.

It works well! Whence, then, the phenomenon of Political Unions,—of the people everywhere forming themselves into Associations to put down a system, which you say, well serves their interests? Whence the congregating of 150,000 men in one place, the whole adult male population of two or three counties, to speak the language of discontent, and refuse the payment of taxes? I am one who never have either used the language of intimidation, or will ever suffer it to be used towards me; but I also am one who regard those indications with unspeakable anxiety. With all respect for those assemblages, and for the honesty of the opinions they entertain, I feel myself bound to declare, as an honest man, as a Minister of the Crown, as a Magistrate, nay, as standing, by virtue of my office, at the head of the magistracy, that a resolution not to pay the King's taxes is unlawful. When I contemplate the fact, I am assured, that not above a few thousands of those nearest the chairman could know

for what it was they held up their hands. At the same time, there is too much reason to think that the rest would have acted as they did, had they heard of all that passed. My hope and trust is, that these men, and their leaders, will maturely re-consider the subject. There are no bounds to the application of such a power; the difficulty of counteracting it is extreme; and as it may be exerted on whatever question has the leading interest, and every question in succession is felt as of exclusive importance, the use of the power I am alluding to, really threatens to resolve all Government, and even society itself, into its elements. I know the risk I run of giving offence by what I am saying. To me, accused of worshipping the democracy, here is indeed a tempting occasion, if in that charge there were the shadow of truth. Before the great idol, the Juggernaut, with his 150,000 priests, I might prostrate myself advantageously. But I am bound to do my duty, and speak the truth; of such an assembly I cannot approve; even its numbers obstruct discussion, and tend to put the peace in danger,—coupled with such a combination against payment of taxes, it is illegal; it is intolerable under any form of Government; and as a sincere well-wisher to the people themselves, and devoted to the cause which brought them together, I feel solicitous, on

every account, to bring such proceedings to an end.

But, my Lords, it is for us to ponder these things well ; they are material facts in our present inquiry. Under a system of real representation, in a country where the people possessed the only safe and legitimate channel for making known their wishes and their complaints, a Parliament of their own choosing, such combinations would be useless. Indeed, they must always be mere *brutum fulmen*, unless where they are very general ; and where they are general, they both indicate the universality of the grievance, and the determination to have redress. Where no safety-valve is provided for popular discontent, to prevent an explosion that may shiver the machine in pieces—where the people—and by the people, I repeat, I mean the middle classes, the wealth and intelligence of the country, the glory of the British name—where this most important order of the community are without a regular and systematic communication with the Legislature—where they are denied the Constitution which is their birth-right, and refused a voice in naming those who are to make the laws they must obey—impose the taxes they must pay,—and control, without appeal, their persons as well as properties—

where they feel the load of such grievances, and feel too the power they possess, moral, intellectual, and, let me add, without the imputation of a threat, physical—then, and only then, are their combinations formidable; when they are armed by their wrongs, far more formidable than any physical force—then, and only then, they become invincible.

Do you ask, what, in these circumstances, we ought to do? I answer, simply our duty. If there were no such combinations in existence—no symptom of popular excitement—if not a man had lifted up his voice against the existing system, we should be bound to seek and to seize any means of furthering the best interests of the people, with kindness, with consideration, with the firmness, certainly, but with the prudence also of statesmen. How much more are we bound to conciliate a great nation, anxiously panting for their rights—to hear respectfully their prayers—to entertain the measure of their choice with an honest inclination to do it justice; and if, while we approve its principle, we yet dislike some of its details, and deem them susceptible of modification, surely we ought, at any rate, not to reject their prayers for it with insult. God forbid we should so treat the people's desire; but I do fear, that a

determination is taken not to entertain it with calmness and impartiality.

\* \* \* \* \*

I am asked what great practical benefits are to be expected from this measure? And is it no benefit to have the Government strike its roots into the hearts of the people? Is it no benefit to have a calm and deliberative, but a real organ of the public opinion, by which its course may be known, and its influence exerted upon State affairs, regularly and temperately, instead of acting convulsively, and as it were by starts and shocks? I will only appeal to one advantage, which is as certain to result from this salutary improvement of our system, as it is certain that I am addressing your Lordships. A Noble Earl\* inveighed strongly against the licentiousness of the press; complained of its insolence; and asserted that there was no tyranny more intolerable than that which its conductors now exercised. It is most true, that the press has great influence, but equally true, that it derives this influence from expressing, more or less correctly, the opinion of the country. Let it run counter to the prevailing course, and its power is at an end. But I will also admit that, going in the same general direc-

\* The Earl of Winchilsea.



tion with public opinion, the press is oftentimes armed with too much power, in particular instances ; and such power is always liable to be abused. But I will tell the Noble Earl upon what foundation this overgrown power is built. The press is now the only organ of public opinion : this title it assumes ; but it is not by usurpation ; it is rendered legitimate by the defects of your Parliamentary constitution ; it is erected upon the ruins of real representation. The periodical press is the rival of the House of Commons ; and it is, and it will be, the successful rival, as long as that House does not represent the people—but not one day longer. If ever I felt confident in any prediction, it is in this, that the restoration of Parliament to its legitimate office of representing truly the public opinion will overthrow the tyranny of which Noble Lords are so ready to complain, who, by keeping out the lawful sovereign, in truth, support the usurper. It is you who have placed this unlawful authority on a rock : pass the Bill, it is built on a quicksand. Let but the country have a full and free representation, and to that will men look for the expression of public opinion, and the press will no more be able to dictate, as now, when none else can speak the sense of the people. Will its influence wholly cease ? God forbid ! Its just influence will

continue, but confined within safe and proper bounds. It will continue—long may it continue—to watch the conduct of public men—to watch the proceedings even of a reformed Legislature—to watch the people themselves—a safe, an innoxious, a useful instrument, to enlighten and improve mankind! But its overgrown power—its assumption to speak in the name of the nation—its pretension to dictate and to command, will cease with the abuses and defects upon which alone it is founded, and will be swept away, together with the other creatures of the same abuses, which now “fright  
“our isle from its propriety.”

Those portentous appearances, the growth of later times, those figures that stalk abroad, of unknown stature and strange form—unions and leagues, and musterings of men in myriads, and conspiracies against the Exchequer—whence do they spring, and how come they to haunt our shores? What power engendered these uncouth shapes—what multiplied the monstrous births till they people the land? Trust me, the same power which called into frightful existence, and armed with resistless force, the Irish Volunteers of 1782—the same power which rent in twain your empire, and conjured up thirteen Republics—the same power which created the Catho-

lic Association, and gave it Ireland for a portion. What power is that? Justice denied—rights withheld—wrongs perpetrated—the force which common injuries lends to millions—the wickedness of using the sacred trust of Government as a means of indulging private caprice—the idiotcy of treating Englishmen like the children of the South Sea Islands—the phrenzy of believing, or making believe, that the adults of the nineteenth century can be led like children, or driven like barbarians! This it is that has conjured up the strange sights at which we now stand aghast! And shall we persist in the fatal error of combatting the giant progeny, instead of extirpating the execrable parent? Good God! Will men never learn wisdom even from their own experience? Will they never believe, till it be too late, that the surest way to prevent immoderate desires being formed, aye, and unjust demands enforced, is to grant, in due season, the moderate requests of justice?

You stand, my Lords, on the brink of a great event—you are in the crisis of a whole nation's hopes and fears. An awful importance hangs over your decision. Pause, ere you plunge! There may not be any retreat! It behoves you to shape your conduct by the mighty occasion. They tell you not to be afraid of per-

sonal consequences in discharging your duty. I too would ask you to banish all fears; but, above all, that most mischievous, most despicable fear,—the fear of being thought afraid. If you won't take counsel from me, take example from the statesmanlike conduct of the Noble Duke,\* while you also look back, as you may, with satisfaction upon your own. He was told, and you were told, that the impatience of Ireland for equality of civil rights was partial, the clamour transient, likely to pass away with its temporary occasion, and that yielding to it would be conceding to intimidation. I recollect hearing this topic urged within this Hall in July, 1828; less regularly I heard it than I have now done, for I belonged not to your number—but I heard it urged in the self-same terms. The burthen of the cry was—It is no time for concession; the people are turbulent, and the Association dangerous. That summer passed, and the ferment subsided not. Autumn came, and brought not the precious fruit of peace,—on the contrary, all Ireland was convulsed with the unprecedented conflict which returned the great chief of the Catholics to sit in a Protestant Parliament. Winter bound the earth in chains; but it controlled not the popular fury, whose surge, more deafening than the tempest, lashed

\* The Duke of Wellington.

the frail bulwarks of law founded upon injustice. Spring came—but no ethereal mildness was its harbinger, or followed in its train,—the Catholics became stronger by every month's delay, displayed a deadlier resolution, and proclaimed their wrongs in a tone of louder defiance than before. And what course did you, at this moment of greatest excitement, and peril, and menace, deem it most fitting to pursue? Eight months before you had been told how unworthy it would be to yield when men clamoured and threatened. No change had happened in the interval, save that the clamours were become far more deafening, and the threats, beyond comparison, more overbearing. What, nevertheless, did your Lordships do? Your duty—for you despised the cuckoo-note of the season, “not be intimidated.” You granted all that the Irish demanded, and you saved your country. Was there in April a single argument advanced, which had not held good in July? None, absolutely none, except the new height to which the dangers of longer delay had risen, and the increased vehemence with which justice was demanded—and yet the appeal to your pride, which had prevailed in July, was in vain made in April, and you wisely and patriotically granted what was asked, and ran the risk of being supposed to yield through fear.

But the history of the Catholic Claims conveys another important lesson. Though in right, and policy, and justice, the measure of relief could not be too ample, half as much as was received with little gratitude, when so late wrung from you, would have been hailed twenty years before with delight; and even the July preceding, the measure would have been received as a boon freely given, which, I fear, was taken with but sullen satisfaction in April, as a right long withheld. Yet, blessed be God, the debt of justice, though tardily, was at length paid, and the Noble Duke won by it civic honours which rival his warlike achievements in lasting brightness—than which there can be no higher praise. What, if he had still listened to the topics of intimidation and inconsistency which had scared his predecessors? He might have proved his obstinacy, and Ireland would have been the sacrifice.

Apply now this lesson of recent history,—I may say of our own experience, to the measure before us. We stand in a truly critical position. If we reject the Bill, through fear of being thought to be intimidated, we may lead the life of retirement and quiet, but the hearts of the millions of our fellow-citizens are gone for ever; their affections are estranged; we, and our order,

and its privileges, are the objects of the people's hatred, as the only obstacles which stand between them and the gratification of their most passionate desire. The whole body of the Aristocracy must expect to share this fate, and be exposed to feelings such as these. For I hear it constantly said, that the Bill is rejected by all the Aristocracy. Favour, and a good number of supporters, our adversaries allow it has among the people; the Ministers, too, are for it; but the Aristocracy, say they, is strenuously opposed to it. I broadly deny this silly, thoughtless assertion. What! My Lords, the Aristocracy set themselves in a mass against the people—they who sprang from the people—are inseparably connected with the people—are supported by the people—are the natural chiefs of the people? *They* set themselves against the people, for whom Peers are ennobled—Bishops consecrated—Kings anointed—the people, to serve whom Parliament itself has an existence, and the Monarchy and all its institutions are constituted, and without whom none of them could exist for an hour? The assertion of unreflecting men is too monstrous to be endured—as a Member of this House, I deny it with indignation. I repel it with scorn, as a calumny upon us all, And yet are there those who even within these walls speak of the Bill, augmenting

so much the strength of the democracy, as to endanger the other orders of the State; and so they charge its authors with promoting anarchy and rapine. Why, my Lords, have its authors nothing to fear from democratic spoliation? The fact is, that there are Members of the present Cabinet, who possess, one or two of them alone, far more property than any two administrations within my recollection; and all of them have ample wealth. I need hardly say, I include not myself, who have little or none. But even of myself I will say, that whatever I have depends on the stability of existing institutions; and it is as dear to me as the princely possessions of any amongst you. Permit me to say, that, in becoming a Member of your House, I staked my all on the aristocratic institutions of the State. I abandoned certain wealth, a large income, and much real power in the State, for an office of great trouble, heavy responsibility, and very uncertain duration. I say, I gave up substantial power for the shadow of it, and for distinction depending upon accident. I quitted the elevated station of Representative for Yorkshire, and a leading Member of the Commons. I descended from a position quite lofty enough to gratify any man's ambition; and my lot became bound up in the stability of this House. Then, have I not a right to throw myself on your



justice, and to desire that you will not put in jeopardy all I have now left?

But the populace only, the rabble, the ignoble vulgar, are for the Bill? Then what is the Duke of Norfolk, Earl Marshal of England? What the Duke of Devonshire? What the Duke of Bedford? (Cries of *Order* from the Opposition.) I am aware it is irregular in any Noble Lord that is a friend to the measure; its adversaries are patiently suffered to call Peers even by their christian and surnames. Then I shall be as regular as they were, and ask, does my friend John Russell, my friend William Cavendish, my friend Harry Vane, belong to the mob, or to the Aristocracy? Have they no possessions? Are they modern names? Are they wanting in Norman blood, or whatever else you pride yourselves on? The idea is too ludicrous to be seriously refuted;—that the Bill is only a favourite with the democracy, is a delusion so wild as to point a man's destiny towards St. Luke's. Yet many, both here and elsewhere, by dint of constantly repeating the same cry, or hearing it repeated, have almost made themselves believe that none of the nobility are for the measure. A Noble Friend of mine has had the curiosity to examine the List of Peers, opposing and supporting it, with re-

spect to the dates of their creation, and the result is somewhat remarkable. A large majority of the Peers, created before Mr. Pitt's time, are for the Bill; the bulk of those against it are of recent creation; and if you divide the whole into two classes, those ennobled before the reign of George III. and those since, of the former, fifty-six are friends, and only twenty-one enemies, of the Reform. So much for the vain and saucy boast, that the real nobility of the country are against Reform. I have dwelt upon this matter more than its intrinsic importance deserves, only through my desire to set right the fact, and to vindicate the ancient Aristocracy from a most groundless imputation.

My Lords, I do not disguise the intense solicitude which I feel for the event of this Debate, because I know full well that the peace of the country is involved in the issue. I cannot look without dismay at the rejection of the measure. But grievous as may be the consequences of a temporary defeat—temporary it can only be; for its ultimate, and even speedy, success is certain. Nothing can now stop it. Do not suffer yourselves to be persuaded, that even if the present Ministers were driven from the helm, any one could steer you through the troubles that surround you, without Reform. But our suc-

cessors would take up the task in circumstances far less auspicious. Under them, you would be fain to grant a Bill, compared with which, the one we now proffer you is moderate indeed. Hear the parable of the Sybil ; for it conveys a wise and wholesome moral. She now appears at your gate, and offers you mildly the volumes—the precious volumes—of wisdom and peace. The price she asks is reasonable ; to restore the franchise, which, without any bargain, you ought voluntarily to give : you refuse her terms—her moderate terms—she darkens the porch no longer. But soon, for you cannot do without her wares, you call her back ; again she comes, but with diminished treasures ; the leaves of the book are in part torn away by lawless hands—in part defaced with characters of blood. But the prophetic maid has risen in her demands—it is Parliament by the year—it is Vote by the Ballot—it is Suffrage by the Million ! From this you turn away indignant, and for the second time she departs. Beware of her third coming ; for the treasure you must have ; and what price she may next demand, who shall tell ? It may even be the mace which rests upon that Wool-sack. What may follow your course of obstinacy, if persisted in, I cannot take upon me to predict, nor do I wish to conjecture. But this I know full well, that as sure as man is mortal,

and to err is human, justice deferred, enhances the price at which you must purchase safety and peace;—nor can you expect to gather in another crop, than they did, who went before you, if you persevere in their utterly abominable husbandry of sowing injustice and reaping rebellion.

But among the awful considerations that now bow down my mind, there is one which stands pre-eminent above the rest. You are the highest judicature in the realm; you sit here as judges, and decide all causes, civil and criminal, without appeal. It is a judge's first duty never to pronounce sentence, in the most trifling case, without hearing. Will you make this the exception? Are you really prepared to determine, but not to hear, the mighty cause upon which a nation's hopes and fears hang? You are. Then beware of your decision! Rouse not, I beseech you, a peace-loving, but a resolute people; alienate not from your body the affections of a whole empire. As your friend, as the friend of my order, as the friend of my country, as the faithful servant of my Sovereign, I counsel you to assist with your uttermost efforts in preserving the peace, and upholding and perpetuating the Constitution. Therefore, I pray and I exhort you not to reject

this measure. By all you hold most dear,—by all the ties that bind every one of us to our common order and our common country, I solemnly adjure you,—I warn you,—I implore you,—yea, on my bended knees, I supplicate you—  
Reject not this Bill!

EXTRACTS FROM A SPEECH

IN THE

HOUSE OF LORDS,

IN SUPPORT OF

THE SECOND READING

OF

THE REFORM BILL,

APRIL 13<sup>th</sup>, 1832.

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IT is said, that if you examine the returns of any place, you will find the householders of £10. greatly more numerous than those of £20. —meaning by £10. householders those who hold houses of from £10. to £20. annual value, and by £20. householders, those of £20. and upwards. I think that, generally speaking, you will find more houses of £20. and upwards, than below that amount. It must not be supposed, that that large class of houses between £10. and £20. are merely £10. houses. You must not take a *minimum*, and erect it into a *maximum*; therefore, to say that the inhabitants of the small tenements of £10. will overwhelm

the richer classes who occupy those of £20., £30., £40., £50., and £100. value, is an assertion unsupported by any arguments or facts. Take, as an instance, the town of Warwick;—it has 300 voters who inhabit houses of £10. and upwards, but under £20.; and about 215 who hold houses of £20. and upwards; the smaller are, therefore, in the proportion to the larger tenements as three to two. But of these £10. houses, perhaps 100 or 150 are houses of the value of £14., £15., and from that up to £20., therefore, the highest of the smaller houses approach very near to the lowest of the larger houses. I cannot, therefore, see how the £10. householders will overwhelm those of the higher classes, or how the representation will, by such means, be thrown into the hands of men of little or no property. The £10. householders do not form a distinct class of voters, for nothing can be more obvious, than that they blend into those of a larger description, almost by imperceptible gradations.

Noble Lords are accustomed to take their ideas of £10. houses, from what they see of that class in a great town. I would recommend them to go into one of those towns on which this franchise is to be conferred. They will find, that it is not the common day-labourer

that can afford to give £ 10. a year for his house: is it possible for the man who is earning 10s., 12s., 13s., or 14s., a week, to afford to pay 3s. 10d. of it for his weekly house-rent? Such a man will occupy a much inferior tenement. The persons paying that rent will be men in the situation of respectable shopkeepers and tradesmen, overseers in some manufactory, or foremen, at least; persons respectable in every point of view, with reference to their station; and do you think that there is such a difference in point of communication, connexion, and influence, between the tenants of these different houses, that the man who occupies a house of from £20. to £30. a year, struts by his poorer neighbour, who is the holder of only a £13., £14.; or even a £10. house? Has he no communication at all with him? Has he no connexion, no habits of society with him? In a word, has he no means of making his opinions known, or of using his influence to urge those opinions which superior wealth gives a man? He will have that intercourse; the richer man will have the opportunity of making his sentiments known to his poorer neighbour; while the practical effect will be, in many cases, to give him that influence which superiority,—not only in point of circumstances, but of character and education,—will always enable a man to exert over his less weal-



thy neighbours. For, my Lords, is it not in this that the influence of the richer over the inferior classes, consists—in the influence which is exercised by a person of learning and information? But, my Lords, I confess that I feel no alarm in contemplating the possibility of a case in which no influence whatever can be exerted, and which would leave all and every one of those persons to exercise their own judgment in the choice of their representatives.

It is the interest of the poorer, as well as of the higher classes, that there should be a good Government in the country,—that efficient representatives should be chosen,—that men should be sent to Parliament to watch over the institutions of the country; and it is no less the interest of the lowest of those classes that there should be peace and prosperity in the country, and that the stability of its institutions should be carefully and vigilantly watched.

My Lords, I will not now enter into the question whether the rich man or the poor man has the greatest interest in the preservation of tranquillity; but it is sufficient for me that the poor man loses his all, and that he is the first who will suffer in a convulsion long before acts of spoliation take place, sufficient to ruin the

rich man,—public calamity, the want of bread, and all the evils that follow in the train of a convulsed state of the country, would be sure to press with the most grinding effect upon the humbler classes. Your Lordships might suffer if every man were frantic enough to dream of unsettling the established institutions of his country, and to introduce confusion into this empire; but who would suffer first, and most severely?—who but the humbler classes, not excepting the day-labourer, the artizan, and the agricultural labourers? But the men who would suffer most of all, are those individuals of the middle,—aye, even to the humbler portion of the middle class,—to whom this measure proposes to give the franchise. Why, then, my Lords, be afraid to trust those classes?—why be afraid that such a Parliament as they would return would dream of unsettling the Constitution of the country?—why not trust those classes who are, at least, as worthy of trust as those whom you trust now?—why not admit those whose interests and feelings, it must be allowed, are most adverse to any violent change? Suppose, my Lords, that there exists a worse portion of the people (and I entreat your Lordships' attention to this point),—suppose the existence of any such portion, bent upon mischievous designs,—the populace we may call them,—men

over whom you have no hold,—men who have no stake in the country,—men tossed about by every gale of opinion,—men to whom agitation is described as natural—the supporters of those opinions about which so much alarm has been expressed,—if there be a body of men of this sort in the country, I ask whether any one thing can be conceived more effectual towards reclaiming them, and bringing them back to a sense of their duty to their country and to a right view of their own interests, than the course which this measure pursues? for it affords an opportunity of reclaiming these misguided individuals, by placing among them persons capable of controlling them by their influence, and of gaining them over, by their advice, to the interests of both,—men not very far above themselves, but renting small £ 10. houses; and by giving them an interest in the preservation of the institutions of the country.

\* \* \* \* \*

Hitherto, patronage has been carried to such an extent, that no honest Ministry can possibly carry on the Government. That has been one of the charges brought against the existing system; but when you have a reformed Parliament, Ministers will not, with such patronage existing, be able to carry Government on at all.

I have no expectation that a reformed House of Commons will bear down the official patronage of the Crown, which is essential to its efficiency, and which the public service requires. But I am quite sure it will do one thing—it would be unfortunate if it did not,—it will not allow patronage even to the most moderate amount to exist merely as patronage, and for the purpose of patronage, and in order to enable a Government to carry on the affairs of the country, which, without that patronage, could not steadily pursue its course. But, my Lords, it will nevertheless afford a ready and energetic support to a Government wisely and honestly intent on doing its duty to this country. Beyond what is necessary for that purpose, no support will be given; but Government must stand on its own merits alone, and the merits of its measures; and must not trust to the influence arising from mere patronage, any more than it can trust to the influence of nomination boroughs. My Lords, many things may be looked forward to from these changes, and many things may be ascribed to reform which are not altogether to be ascribed to it. I verily believe, as Parliament is at present constituted, that for years and years to come, difficulties will be found all but insurmountable for any Government to overcome; but reform the Parliament, and I am convinced

it will give its best support to an honest, a fair, and a liberal policy, as—I will not say is dictated by caprice or even by the feelings of the people,—but such a policy as shall carry along with it the opinions of all the rational part of society, whom I believe in my conscience to be an overwhelming majority of all ranks and classes of his Majesty's subjects, extending even to the very humblest.

When education has made such progress as it has done, and when I look to the further progress it may reasonably be anticipated to make in a few years, I can trust with implicit, with chearful, with increasing, daily increasing, and I will add, with exulting confidence, in the plain, good sense, the rational, consistent, regular, and peaceful opinions and wishes of the majority of the people. It is proper that there should be some restriction in the right of voting, for the purpose of avoiding the evils which will always attach to too numerous assemblies of the people, and for the purpose of preventing too vast an expense at elections, and the mischief which would arise from not drawing any line at all; but it is not from any distrust that I have of even those classes to whom this measure does not give the elective franchise, that I assent to this restriction; for I am sure, if you will remove the great

and obvious grievance of our time, and of times long past, owing to the state of the representation,—if you destroy the system of nomination, you will restore yourselves to a place in the affections of the people, which the existence of that grievance has caused you to lose:—that is the great and capital grievance of all:—once remove it, and I, for one, entertain not the slightest apprehension from the power and conduct of even those who are below the humblest class to whom the franchise will, by this Bill, be given.

Upon this occasion much has been said as to the consequences of rejecting this measure. I will not dwell upon that view of the subject, because I wish to avoid saying any thing that can, even by the most ingenious perversion, be construed into the language of intimidation. But, my Lords, I only beg and entreat you not to lose this opportunity of improving (I will not say of regaining, because that would imply loss) your place in the affections of your fellow-countrymen. If their confidence in you,—if their love and respect for you, should unfortunately have been shaken, I think not only wisdom, prudence, and good feeling, but a due regard to the peace and security of the kingdom,—a due regard to the interests of all classes, and to your

own dignity, ought strongly to incline you to lean to that course which is as certain,—as absolutely certain,—not only to regain all you have lost, if you have lost any thing, but to raise you higher than you ever were in the affection, esteem, and respect of the people. Of my fears for an adverse event,—of my fears of what may possibly happen, I shall say nothing,—I mean only this,—that no one event is more to be dreaded,—for the security of all our establishments,—for the security of all our institutions,—than a growing alienation of the public mind from the legislative body of this country. Above all, we should avoid the widening of any breach, the increase of any distance, by which we are now separated from the great bulk of the people.

My Lords, we have heard of other plans of reform which have been brought forward, as it has been rightly said, too late. I confess, I look upon these plans with all but suspicion, when I consider the time and occasion of bringing them forth,—their not having been broached during the time which has elapsed, since the 8th or 9th of October last up to the present day,—their having met with so little countenance from either side of the House;—all this tends very greatly to excite my distrust as to the beneficial effects which these plans would produce if

adopted. I think the Noble Duke\* may, to use the expression of my Noble Friend's† quotation, go into the country—

——— *Secretaque gestans*  
*dona ducum* ——

and will in vain obtain for it even the smallest portion of such acceptance and such gratitude as will tend to soothe the irritation or calm the anxious solicitude of the people upon this question.

A Right Reverend Prelate has said, that the anxiety for this measure is nearly gone by, though it has not entirely subsided. Do not, my Lords, imagine such to be the case—do not let any man among you deceive himself: the anxiety has not nearly subsided,—it has not nearly gone by,—it exists as strongly and as intensely as ever, with this difference only—that it has stood the test of disappointment and long delay, and, as was justly observed during the debate, of the “hope deferred, that maketh the heart sick.” It is, I say, as strong and as intense as ever; and you may rely on it, that from one end of this land to the other, the people,—the intelligent, the thinking, the rational,

\* The Duke of Buckingham.

† The Earl of Carnarvon.



the honest people, and that, too, not merely of this metropolis, but of every town, village, and hamlet in England, and, if possible, still more in Scotland, are waiting, in breathless suspense, the event of this night's discussion. I hope and trust, my Lords,—I confidently hope,—nay, I fully expect, that your decision will be such as to diffuse universal joy throughout the country, and terminate that painful suspense which this Bill has so long occasioned. Should such, my Lords, be the result of your votes this night, greater than ever will be the affection, gratitude, and respect which the people will bear towards you.

THE END.

The first of these is the fact that the  
 system of taxation is not uniform  
 throughout the country. In some  
 parts the tax is very high, while in  
 others it is very low. This is a  
 great disadvantage, as it tends to  
 create a feeling of inequality  
 among the people. It also tends to  
 discourage the growth of industry  
 in the less favored regions. The  
 second disadvantage is that the  
 system is not based on the ability  
 to pay. The tax is levied on the  
 land, and not on the income of the  
 owner. This is a great injustice, as  
 it places a heavy burden on the  
 poor, who have no other means of  
 support. The third disadvantage is  
 that the system is not based on the  
 value of the property. The tax is  
 levied on the land, and not on the  
 value of the improvements. This is a  
 great disadvantage, as it tends to  
 discourage the improvement of the  
 land. The fourth disadvantage is  
 that the system is not based on the  
 benefit received. The tax is levied on  
 the land, and not on the benefit  
 received by the owner. This is a  
 great disadvantage, as it tends to  
 discourage the improvement of the  
 land.







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